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ARTICLES,

EXHIBITED BY

The Knights, Citizens, and Burgeesses, in
Parliament assembled,

In the Name of themselves and of all the
Commons of GREAT BRITAIN,

AGAINST

WARREN HASTINGS, Esq.

Late Governor General of Bengal,

In Maintenance of their Impeachment against him
for High Crimes and Misdemeanors.

WITH THE AMENDMENTS.

L O N D O N :

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M D C C L X X X V I I I .



WARREN HUNTINGTON, Esq.

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THE AMENDMENTS

London

BY JAMES MURRAY, LITERARY, HISTORICAL, AND

SCIENTIFIC EDITOR OF THE OXFORD DICTIONARY

WITH A HISTORY OF ENGLISH

A R T I C L E S, &c.

WHEREAS the United Company of Merchants of England trading to the East Indies had, for a long time past, carried on an extensive trade, obtained great territorial possessions and revenues, entered into various alliances and connections, and waged frequent wars with the native powers in India: AND WHEREAS it became necessary that the said United Company, in pursuance of and by the authority in them vested by act of parliament, and charter under the great seal, should create certain great offices for the management of these important affairs, and for the more perfect conducting and directing of the various concerns from them resulting: AND WHEREAS, among others, the office created and known by the name and designation of President of the Presidency of Fort William in Bengal, was an office of high trust, power, and dignity; on the due and incorrupt execution of which, the welfare of the said United Company, the happiness of the native inhabitants of India, the honour of the Crown of these kingdoms, and the character of the British nation, did most materially depend: AND WHEREAS Warren Hastings Esq. was, by legal authority, constituted and appointed to succeed to the situation and office of President of the Presidency of Fort William in Bengal, by an appointment, bearing date the twenty-fifth day of April, one thousand seven hundred and seventy-one; and the said Warren Hastings did, on or about the month of April, in the year one thousand seven hundred and seventy-two, succeed to the said office, by which said appointment and succession, all the power, authority, and dignity, which ever had been annexed thereto, were conveyed to the said Warren Hastings: AND WHEREAS the great and growing national importance of the affairs of the East India Company had made them peculiarly the object of public and parliamentary consideration: AND WHEREAS, in consequence thereof, an act passed in the thirteenth year of the reign of his present Majesty, intituled, "An act for the establishing certain regulations for the better management of the

“ affairs of the East India Company, as well in India as in Europe:” AND WHEREAS by the said act it was, among other things, enacted, that a Governor General, instead of a President as aforesaid, should be appointed to preside over the affairs of the said East India Company: AND WHEREAS great power, authority, dignity, trust, and responsibility, were by the said act annexed to the office of Governor General; on the due and uncorrupt execution of which, the before recited important interests, relative to the native subjects and protected princes in India, as well as to the said East India Company and the British nation, did likewise in a most especial manner depend: AND WHEREAS the said Warren Hastings was appointed, by the act of parliament aforesaid, to the office of Governor General, with all the powers by law belonging to the said office: AND WHEREAS, by virtue of several subsequent acts of parliament, he the said Warren Hastings has been frequently re-appointed to the said office of Governor General, with all the power, authority, dignity, trust, and responsibility, originally annexed to the same: AND WHEREAS, in fact, the said Warren Hastings did accept of these great offices of President and Governor General of the Presidency of Fort William in Bengal, so bestowed on him as aforesaid, and did continue to act therein without any suspension or intermission whatever, from the period herein first mentioned, until the month of February, in the year one thousand seven hundred and eighty-five: AND WHEREAS the said Warren Hastings did solemnly swear faithfully to discharge his duty therein, by which he became bound, by the most solemn obligations to the Company, the Crown, and the Nation, faithfully to discharge the duty of the trust reposed in him during all the time aforesaid: Yet the said Warren Hastings, not regarding the sacred obligation of his oath, nor the important duties of the high offices to which he was appointed, but entertaining base and corrupt views of procuring for himself and his dependants exorbitant wealth, and arbitrary designs of raising himself, by means of the undue influence so acquired, to excessive power, as well to gratify his inordinate ambition, as to secure himself from punishment for the many unjustifiable acts by him done and committed in the exercise of his office, did, whilst he was President and Governor General as aforesaid, by the various unwarrantable and criminal practices hereinafter set forth, faithlessly, illegally, and tyrannically violate the duties of his station: By each and all of which practices the welfare of the East India Company has materially suffered, the happiness of the native inhabitants of India been deeply affected, their confidence in English faith and lenity shaken and impaired, and the honour of the Crown and character of this nation wantonly and wickedly degraded.

ARTICLE FIRST.

THAT Rajah Bulwant Sing, a great Chief or Zemindar of certain provinces or districts in India, called Benares, and Gazepoor, dependant upon the Mogul empire, through Sujah ul Dowlah, Nabob of Oude, and Vizier of the said empire, did, in the commencement of the English power in India, in or about the year one thousand seven hundred and sixty-four, attach himself to the British nation, and was, in the opinion of the Directors of the East India Company, of signal service to the affairs and interests of Great Britain.

That in consideration of those services, the said Bulwant Sing was, by the treaty of peace concluded at Allahabad, in the year one thousand seven hundred and sixty-five, between Sujah ul Dowlah and the British nation, fully secured in the possession of his territories, which possession he retained till his death.

That by the influence of the British Bengal government, and in consideration of a large sum of money, and a considerable increase of tribute paid to the Vizier, his son Rajah Cheit Sing did, on the death of his father the said Bulwant Sing, succeed to the said territories; and on or about the month of October, in the year one thousand seven hundred and seventy, was fully invested with the government thereof.

That in the month of June, in the year one thousand seven hundred and seventy-three, Warren Hastings Esquire (being then President of the Presidency of Fort William in Bengal) was empowered by the President and Council (that is, by himself and Council) to renew, on behalf of Rajah Cheit Sing, the stipulations which had been formerly made with the Vizier in favour of his father Rajah Bulwant Sing, in consideration of his services in the year one thousand seven hundred and sixty-four.

That in consequence of these powers, the said Warren Hastings did, by various treaties and agreements, renew and secure to Rajah Cheit Sing and his posterity, the inheritance of the above-mentioned territories (which said territories had been already conveyed to the said Rajah by acts of the Vizier in his favour) upon the same terms as they had been granted to his father Bulwant Sing, excepting only the increase of tribute heretofore mentioned; and the said treaties or agreements did expressly provide, that no increase of the same should ever be demanded from him; and the same were fully guaranteed by the East India Company, and their faith pledged that they should remain inviolable,

inviolable, and that there should never be any deviation from them.

That the said Warren Hastings was bound, as well by the ties of justice as by the obligations of public faith, to afford the protection of the East India Company to the said Rajah, more particularly as the inheritance, and even the life of the said Rajah, were no longer safe than whilst he enjoyed such protection.

That he the said Warren Hastings did think himself bound by the said treaties and agreements in favour of Rajah Cheit Sing, to afford him protection, and to prevent the Vizier from breaking through or deviating from the said treaties, and did accordingly, some time in the year one thousand seven hundred and seventy-five, interfere and prevent, or did approve of the interference of the Resident at the court of Oude for the purpose of preventing the said Vizier from levying a sum of five lacks of rupees in advance from the said Cheit Sing, under pretence of his the said Vizier's urgent necessities, by declaring that his Excellency (viz. the Vizier) could not on his part demand either an increase of rent or sums in advance from the said Rajah; and that the demand of five lacks would, if complied with, establish a precedent against the said Cheit Sing, contrary to the letter of the treaty with him; and that the Honourable Board, viz. the Council of Fort William, of which Warren Hastings Esquire was then Governor General, would not see the rights of their dependants infringed upon; and that Rajah Cheit Sing was to be considered in that light; and that the said Vizier must expect to see him protected, for he was not to be put upon a footing with his the said Vizier's other Zemindars.

That the above, and all other stipulations in favour of the said Rajah, were fully known to, and approved of, and confirmed and ratified by, the said Warren Hastings.

That the said Warren Hastings did, some time in the year one thousand seven hundred and seventy-five, propose and carry in Council a resolution, that it should be made a condition of the treaty then negotiating with the Vizier, that Rajah Cheit Sing should exercise a free and independant authority in his dominions, subject only to the payment of his tribute.

That an assignment was afterwards obtained from the Vizier, by the Company, of the tribute payable by the said Rajah, whereby the rights of superiority which the said Vizier was entitled to hold and to bestow were transferred, yet the tenure and condition of the Rajah continued the same as before; the said assignment being, as the said Warren Hastings has himself declared, without any encroachment on the just rights of the Rajah, or the engagements actually subsisting with him; the nature and extent of which had been fully known to, and often recognized by,

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the said Warren Hastings, and which never were, by any subsequent agreement, treaty, or otherwise, done away or superseded.

That the said Warren Hastings did, some time in the month of June, in the year one thousand seven hundred and seventy-five, lay before the Council at Fort William in Bengal, several propositions, for the purpose of carrying into effect the intentions of the Board to render the said Rajah more independant, to prevent him from being reduced to what he, the said Warren Hastings, calls the mean and depraved state of a mere Zemindar, and to raise him to a situation of power and dignity unknown to any of his ancestors: That in order to carry the said intentions into execution, the said Warren Hastings did *inter alia* specially propose, and with the approbation of his Council did actually convey to Cheit Sing the powers of executing criminal justice and of coining money within his dominions, which powers, in that country, have always been considered as marks of sovereignty; and did further propose, that whilst the Rajah should continue faithful to his engagements, and punctual in his payments, and should pay due obedience to the British Government, no more demands should be made upon him by the East India Company, of any kind; or on any pretence whatsoever should any person be allowed to interfere with his authority, or disturb the peace of his country: Which proposition was agreed to by the Council, and was ordered to be communicated to the said Rajah Cheit Sing by Francis Fowke Esq. the then resident at Benares; which voluntary restraint was proposed by the said Warren Hastings, and laid by the Government upon its own actions, in order, among other purposes, to inspire the Rajah with the greatest confidence, without which he the said Rajah would expect from every change of government additional demands to be made upon him, and would of course descend to all the arts of intrigue and concealment practised by other dependant Rajahs; and because, by proper encouragement, he would prove a powerful ally, and a useful barrier to the East India Company; but that he would be neither the one nor the other, if the conditions of his connection with the Company were left open to future variations.

That the said Warren Hastings, in or about the month of June, one thousand seven hundred and seventy-five, did propose to his Council that Rajah Cheit Sing should engage to maintain in constant pay a body of two thousand cavalry, for which the Company were to pay after the rate of fifteen rupees per month for each private man, and in proportion for the officers, so long as they should continue in the service of the said Company. That the said Warren Hastings then declared it was far from his intention to propose the above or any other article to be imposed upon the said Rajah by compulsion; and the Board did finally resolve,

on

on or about the month of July, in the year last aforesaid, that it be recommended to the said Cheit Sing to keep up two thousand cavalry, to be disciplined after the European manner; but that there be no obligation upon him so to do.

That by these and various other acts, agreements, treaties, or stipulations, the said Rajah Cheit Sing was, under the authority of the East India Company, fully confirmed and secured in the free and uncontroled authority in the regulation and government of his Zemindary, subject to no demand of any sort or kind, or upon any pretence whatsoever, over and above the payment of the rent or tribute stipulated to be by him paid.

That the said Warren Hastings was bound by the duties of his office, and by the ties of justice and public faith, strictly to adhere to the aforesaid treaties, stipulations, and engagements, and to every other treaty, stipulation, and engagement, which subsisted between the East India Company and the said Rajah, or to which the said Company were or had been parties or guarantees, according to the plain sense and true understanding of the same.

That the said Warren Hastings, whilst he was Governor General as aforesaid, in direct breach of his duty, and of the trust reposed in him, and in positive contradiction to the treaties, stipulations, and engagements, which existed between the East India Company and the said Rajah, and with a view to harass, distress, and finally to ruin, the said Rajah, in consequence of pre-conceived malice against him, did on some day in the month of July, in the year one thousand seven hundred and seventy-eight, under the pretence of a war in Europe, of which he the said Warren Hastings had not any authentic accounts, and at a time when the treasury of the East India Company was unusually full, and when no general levy or contribution was made upon any other persons in situations similar to that of the said Cheit Sing, require that the said Cheit Sing should furnish three battalions of Sepoys, at his own expence, for the service of the said East India Company, and did extort from the said Cheit Sing the sum of five lacks of rupees, under pretence of providing and paying for the said battalions.

That the said Warren Hastings did farther, in or about the month of July, in the year one thousand seven hundred and seventy-nine, extort a like sum of five lacks of rupees from the said Cheit Sing, under similar or such like pretences, and did compel the payment of the same by means of a military force; and did also extort the payment of a farther sum of two thousand pounds sterling, or thereabouts, under pretence of paying the expences of the said force.

That the said Warren Hastings did again, on or about the twenty-second day of June, in the year one thousand seven hundred and eighty, extort from the said Cheit Sing, by similar and other rigorous means, and particularly by the threats of a fine

fine of ten thousand pounds, the payment of the like sum of five lacks, under the aforesaid and other such like pretences, although he the said Hastings had, on the twenty-first day of June, that is to say, on or about the day before the said renewed demand, privately received from a person named Sadanund, buxey or treasurer to the said Rajah, a present or bribe of two lacks of rupees, or some other sum, which was given under the plea of atoning for the opposition alledged by the said Warren Hastings to have been made against the payment of the said subsidy, but really in hopes of its inducing him the said Warren Hastings to give up that claim.

That, notwithstanding the receipt of the above-mentioned bribe or present, the said Warren Hastings, in further prosecution of a wicked and malicious design to harass, oppress, and ruin the said Rajah, did, on the second day of November, one thousand seven hundred and eighty, move at the Council Board, and carry, a resolution, that the Rajah of Benares should be required to furnish such cavalry as he could spare for the service of the British Government; and afterwards, under pretence and colour of the said resolution of the Board, did peremptorily and arbitrarily demand from the said Rajah two thousand cavalry, which demand was afterwards reduced to some other number, but without any offer of paying for the same, although the said Rajah was not bound to keep up any cavalry, and for whatever number he furnished for the service of the East India Company he was to be paid at the rate already stated.

That the said Warren Hastings, in further prosecution of the design aforesaid, did, in direct defiance of both the letter and spirit of the said treaties and agreements, wickedly and maliciously enter into a clandestine negociation with the Vizier, Nabob of Oude, whom the said Warren Hastings well knew to be the ancient and hereditary enemy of the Rajah and his family, and from the enmity of whose father the said Rajah's family had been secured and protected by the British power, in the year one thousand seven hundred and sixty-five, for the express purpose of selling the territories of the said Rajah to the said Vizier, for a sum of money to be paid to the said East India Company.

That the said Warren Hastings, in further prosecution of the said wicked design, and in order to draw the said Rajah to some act which might afford a pretence for violence towards him, did, some time early in the month of January, in the year one thousand seven hundred and eighty-one, peremptorily and insultingly write, or cause to be written, a letter to the said Rajah, charging him with delay in payment of his monthly kists or payments, and with being the cause of the non-payment of the stipend of Mirza Sadit Ally, although the said Cheit Sing did pay his kists with the utmost regularity, and the stipend to the said Mirza

Sadit Ally was paid with equal regularity, at the very time when the said Warren Hastings did falsely and unjustly charge him with delay in paying the same.

That the said Warren Hastings, in further prosecution of the design aforesaid, did, in or about the month of July, one thousand seven hundred and eighty-one, by a vote of Council, invest himself with an illegal and dangerous delegation of the powers of the whole Council, without any authority given to him so to do, either by the East India Company or by any act or acts of parliament; and, among other things, did, in the manner aforesaid, confer upon himself full power and authority to form such arrangements with the Rajah of Benares, for the better government and management of his Zemindary, and to perform such acts, for the improvements of the interests which the Company possessed in it, as he should think fit, and consonant to the mutual engagements subsisting between the Company and the Rajah.

That the said Warren Hastings, under colour of the above authority, and under certain false, wicked, and malicious pretences, with a view to harass, ruin, and oppress the said Cheit Sing, and with an intention to extort certain large and enormous sums of money from him, without any just or reasonable cause (although the said Cheit Sing had a short time before, knowing the malice of the said Warren Hastings, offered to pay the sum of twenty lacks of rupees, for the service of the East India Company), did wickedly and maliciously undertake a journey to the Upper Provinces, and in particular to the Province of Benares, and did then and there, in prosecution of the wickedness and malice aforesaid, wantonly, arbitrarily, and tyrannically degrade, insult, and falsely accuse him the said Rajah of certain acts of misgovernment, and of disaffection and breach of faith and duty to the East India Company, and of other crimes and offences, which said pretended offences were set forth in a certain paper writing, delivered or ordered to be delivered to the said Rajah by the said Warren Hastings: And although the said Rajah did, by every means in his power, endeavour to pay every mark of respect and attention to the said Warren Hastings, did express the utmost distress and concern at having given any supposed cause of offence to him, and assured him, that his Zemindary, and all he possessed, were at his devotion, and did accompany his words with actions strongly expressive of his sincerity; and although the said Rajah did, in the most submissive and humble manner, either fully deny or offer a complete justification of himself from the false, wicked, and malicious charges brought against him, and did desire a full enquiry into the truth of his allegations made in his defence aforesaid, yet the said Warren Hastings did arbitrarily and tyrannically order him the said Rajah to be put under arrest in his own

palace,

palace, and loaded him with unmerited indignities, which measure did cause great alarm amongst his subjects, by disgracing their Prince in the eyes of all Hindostan, by being a flagrant instance of breach of faith, highly unwarrantable and disgraceful, and tending materially to weaken the confidence which the native Princes ought to have in the justice and moderation of the British Government.—That he the said Rajah did, after the said arrest, write several letters, full of distress and submission, and apparent despondency, to the said Warren Hastings, who took little notice of the same; and a sudden affray having arisen, in consequence of the march of a company of Sepoys to reinforce the guard put over the Rajah, and in consequence of the insults and indignities offered to him, and a part of the said guard having been destroyed by the fury of the populace, enraged by the outrages offered to their Prince in their presence, and the Rajah having fled for safety, during the tumult, to a fort in the neighbourhood, he the said Rajah did immediately, and at divers and sundry times afterwards, send other letters of submission to the said Warren Hastings, requesting permission to justify himself from the charges brought against him, and offering to submit in all things to the pleasure of the said Warren Hastings, who nevertheless constantly and peremptorily refused to answer or to listen to the same; and at last, upon the pretence that the said insurrection or affray (really raised by his own violence, breach of faith, and oppression) was the effect of a premeditated design to overturn the British empire in India, and to exterminate therefrom the British nation; and that the said Rajah aimed at the total subversion of the authority of the Company, and the erection of his own independency upon its ruins; and upon other allegations equally extravagant, untrue, and incredible; he the said Warren Hastings did hazard the safety of the said empire in the East, upon the event of a civil war, at a time when it was attacked by enemies upon every side, rather than listen to any terms of accommodation, or offers of justification from the said Rajah; and, collecting around him the troops of the Company, did wickedly, arbitrarily, and tyrannically, expel the said Rajah from those territories which he held by virtue of repeated agreements with the Company, and to which he had not forfeited his right by any acts by him the said Rajah done or omitted, previous to the violent and unjust imprisonment aforesaid; in consequence of which arrest and expulsion, an unjust war arose, much blood was shed, the collection of the revenues impeded, and the whole country thrown into confusion; which said war did extend itself into the neighbouring provinces, and which bloodshed, war, and confusion, are solely imputable to the misconduct, violence, tyranny, and culpable improvidence of the said Warren Hastings. In all which unjust and illegal acts, repeated demands, extorsive

exactions, arbitrary arrest, and final expulsion of the said Cheit Sing from his dominions, upon pretences, many of which were never suggested or alledged by the said Warren Hastings till after the said expulsion, and in various other acts by him the said Warren Hastings done and omitted towards the said Rajah, he the said Warren Hastings has, in many and various instances, acted contrary to the trust reposed in him, to the faith of solemn treaties, to his own declared sense of his duty, and thereby greatly disgraced and discredited the character of the British nation in India ; and by all and every one of the aforesaid acts, done, perpetrated, authorised, or permitted by him the said Warren Hastings, he the said Warren Hastings was, and is, guilty of high crimes and misdemeanors.

That the said Warren Hastings did farther, after the flight of the said Cheit Sing, direct an attack to be made upon a castle called Bidjegur, the residence of Panna, the mother of the said Rajah, and of the surviving women of the family of Rajah Bulwant Sing ; and, for the purpose of the directed attack, did order a body of troops to march and dispossess them of their residence, and to seize upon their money and effects, without even pretending that they had committed any offence whatsoever, and without even enquiring whether the treasure contained in the fortress of Bidjegur was the property of the said women, or of Cheit Sing. That the said Warren Hastings did, neither then nor since, alledge, or attempt to prove, that the said ladies ever were concerned, in the remotest degree, in any of the designs falsely by the said Warren Hastings imputed to the said Cheit Sing ; yet nevertheless he did not only besiege, or cause to be besieged, the fortress aforesaid, but did stimulate the army to rapine and outrage, by the wicked orders which he issued, by directing that the fort, and all the property it contained, should be secured for the benefit of the detachment employed in reducing it, and by abandoning to the soldiery all the property of the said women of every sort, contrary to the practice of civilized nations, and particularly offensive to the manners of the East, and the respect there paid to the female sex. And did farther prohibit Major Popham, or the commanding officer of the army employed in the above service, from entering into any conditions with the said mother of the said Rajah, even for a provision ; and did declare, that if she disappointed certain expectations, or did not instantly comply with certain terms which he the said Warren Hastings proposed to her, in consequence of some overtures from her, he would consider it as a wanton affront, and never would forgive the same. That the said mother of the said Rajah, having evacuated the fortress aforesaid, and surrendered the same upon certain terms, rather than incur the dangers with which she was threatened by the said Warren Hastings, the

terms

terms of the said capitulation were violated, and the said lady, her relations, and dependants, plundered, in consequence of that spirit of rapacity excited by the acts of the said Warren Hastings, and his abandoning the plunder of the said fort, and every thing it contained, to the soldiery :

Which said acts, orders, directions, or licence of him the said Warren Hastings, giving up the plunder aforesaid, in the manner aforesaid, were issued, directed, or given by him the said Warren Hastings, without any competent authority being vested in him for that purpose ; in direct contradiction to the orders of his masters, and to his own sense of his public duty ; and which said orders did, in the opinion of him the said Warren Hastings, necessarily tend to bring corruption and ruin on the army. And the said Warren Hastings, after such licence given to the soldiery to plunder for their own benefit, and after the spoil made in consequence of that licence, amounting in value to a very large sum, was actually divided amongst and shared by the soldiery, did retract his declaration of right, and his permission to the soldiers to appropriate the plunder to themselves, and did endeavour, by various artifices and devices, to explain away such his declaration and permission, and to recover from the soldiery the spoil so before by himself granted to them ; but having failed in this attempt to resume, by a breach of faith with the soldiers, what he had unlawfully granted by a breach of duty to his constituents, he then attempted to obtain the same from the soldiers and officers as a loan ; and failing in this attempt also, and this spoil being the only part of the treasures belonging to the Rajah, or any part of his family, the said Warren Hastings was altogether frustrated in the acquisition of every part of that dishonourable object which alone he had pretended to, and pursued through a long series of acts of injustice, inhumanity, oppression, violence, and bloodshed, to the great risk, even in his own opinion, of the total subversion of the British empire in India.

That the said Warren Hastings having, as aforesaid, expelled the said Cheit Sing from his dominions, did of his own usurped authority, and without any communication with, or any approbation given by, the other Members of the Council, nominate and appoint Rajah Mehipnarain to the government of the provinces of Benares, and did appoint his father, Durbedgy Sing, as administrator of his authority ; and did give to the British Resident, William Markham, a controlling authority over both ; and did farther abrogate and set aside all treaties and agreements which subsisted between the state of Benares and the British nation ; and did arbitrarily and tyrannically, of his mere authority, raise the tribute to the sum of four hundred thousand pounds sterling, or thereabouts ; did further wantonly and illegally impose

pose certain oppressive duties upon goods and merchandize, to the great injury of trade, and ruin of the provinces; and did farther dispose of, as his own, the property within the said provinces, by granting the same, or parts thereof, in pensions to such persons as he thought fit.

That the said Warren Hastings did, some time in the year one thousand seven hundred and eighty-two, enter into a clandestine correspondence with William Markham Esquire, the then Resident at Benares; which said Markham had been by him the said Warren Hastings obtruded into the said office contrary to the positive orders of the Court of Directors: And in consequence of the representations of the said Markham did, under pretence that the new excessive rent or tribute was in arrear, and that the affairs of the provinces were likely to fall into confusion, authorize and empower him, by his own private authority, to remove the said Durbedgy Sing from his office, and deprive him of his estate.

That the said Durbedgy Sing was, by the private orders and authorities given by the said Warren Hastings, and in consequence of the representations aforesaid, violently thrown into prison, and cruelly confined therein, under pretence of the non-payment of the arrears of the tribute aforesaid.

That the widow of Bulwant Sing, and the Rajah Mehipnain, did pointedly accuse the said Markham of being the sole cause of any delay in the payment of the tribute aforesaid, and did offer to prove the innocence of the said Durbedgy Sing, and also to prove that the faults ascribed to him were solely the faults of the said Markham; yet the said Warren Hastings did pay no regard whatever to the said representations, nor make any enquiry into the truth of the same, but did accuse the said widow of Bulwant Sing, and the Rajah aforesaid, of gross presumption for the same; and, listening to the representations of the person accused (viz. the Resident Markham), did continue to confine the said Durbedgy Sing in prison, and did invest the Resident Markham with authority to bestow his office upon whomsoever he pleased.

That the said Markham did bestow the said office of administrator of the province of Benares upon a certain person named Jagger Deo Seo, who, in order to gratify the arbitrary demands of the said Warren Hastings, was obliged greatly to distress and harass the unfortunate inhabitants of the said provinces.

That the said Warren Hastings did, some time in the year one thousand seven hundred and eighty-four, remove the said Jagger Deo Seo from the said office, under pretence of certain irregularities and oppressions, which irregularities and oppressions are solely imputable to him the said Warren Hastings.

That

That the consequences of all these violent changes and arbitrary acts were, the total ruin and desolation of the country, and the flight of the inhabitants; the said Warren Hastings having found every place abandoned at his approach, even by the officers of the very government which he established, and seeing nothing but traces of devastation in every village; the provinces, in effect, without a government; the administration misconducted; the people oppressed; trade discouraged; and the revenue in danger of a rapid decline.

All which destruction, devastation, oppression, and ruin, are solely imputable to the above-mentioned and other arbitrary, illegal, unjust, and tyrannical acts of him the said Warren Hastings; who by all and every one of the same, was, and is, guilty of high crimes and misdemeanors.

ARTICLE SECOND.

THAT the mother and grandmother of the present Vizier Asoph ul Dowla, Nabob of Oude, are amongst the women of the highest rank, family, and distinction in Asia, the former being the wife of the late Suja ul Dowla, and the latter widow of Sufder Jung, and daughter of Sadit, the predecessor of the said Sufder Jung in the government of Oude, which said Sufder Jung, father of Suja ul Dowla, and grandfather of the present Nabob of Oude, first obtained his rank among the princes of India through the means of the said alliance.

That the said mother and grandmother of the said Asoph ul Dowla were in possession of certain landed estates, called Jaghires, and certain valuable moveables, for the purpose as well of maintaining their own rank and dignity, as for the maintenance of their numerous family and dependants.

That on or about the months of September or October, one thousand seven hundred and seventy-five, John Bristow Esq. the then Resident at the court of Oude, was requested by Asoph ul Dowla, Nabob of Oude, and Vizier of the Empire, to use his endeavours to persuade his said mother, commonly called the Bow Begum, to assist him with a sum of money, under a pretence of his great distress and urgent necessities, which were principally occasioned by the heavy debt which he had incurred to the East India Company.

That

That the said Bow Begum did positively refuse to advance or pay to the Nabob any sum or sums of money whatsoever, unless for the sake, and under the guarantee of the English.

That in consequence thereof a solemn treaty was finally concluded between the said Vizier and the said Begum, by which she the said Begum consented to pay to the Vizier the sum of thirty lacks of rupees in money and goods, and granted to him a release for the sum of twenty-six lacks, which she had formerly advanced to him the said Vizier; which said sum of money was paid and released under the express condition that no farther sum of money should ever be demanded from her by the said Vizier, upon any occasion, or upon any pretence whatsoever, and under the farther express condition, that the jaghires, lands, money, goods, and property of every kind, then in her possession, should be firmly secured and guaranteed to her, under the protection and guarantee of the English nation; and that no further loan, claim, or demand of any sort, should ever be required from her.

That the said agreement or treaty was confirmed by the most sacred forms of the Mahomedan religion by the said Vizier, and was fully guaranteed by the said Bristow upon the part of the East India Company.

That the said guarantee was afterwards, viz, in or about the month of November of the year last aforesaid, fully approved of, and confirmed by the Governor General and Council, Warren Hastings being then Governor General as aforesaid.

That the said Warren Hastings, being Governor General as aforesaid, was (as it was his duty to be) fully apprized both of the nature and extent of the said guarantee, and has frequently declared his own sense of the binding force and operation of the same, and of the disgrace and discredit which would fall upon the English name, if even the appearance of oppression existed towards a person of the Begum's sex and character, after the honour and faith of the East India Company was pledged for the observance of the said treaty.

That the said Warren Hastings, in conformity to the above just sense of the nature and extent of the said treaty and guarantee, has repeatedly interfered with his authority to support and defend the same; and in particular, some time in the year one thousand seven hundred and seventy-eight, upon certain complaints being made to the Governor General and Council by the said Begum, of certain infractions of the said treaty, he the said Warren Hastings did, in concurrence with the Council, write, or order to be written, to Nathaniel Middleton Esq. then Resident at Oude, a letter or order to the effect following:—That she, the said Begum, was entitled to the protection of the British Government by an act not sought by the said Government, but solicited by the Nabob himself, and granted in compliance

compliance with his and her request; and therefore the said Resident was empowered to afford his support and protection to her in due maintenance of all the rights she possessed by virtue of the treaty between her and her son, under the guarantee of the Company, and against every attempt that might be made, directly or indirectly, to infringe them. In consequence of which letter or order, she was protected by the said Resident in the enjoyment of her rights, under the authority of the guarantee aforesaid.

That the said elder Begum, wife of Sufder Jung, and grandmother of Asoph ul Dowla, was also in possession of certain jaghires and effects, in the quiet possession of which she was molested by the said Asoph ul Dowla, and in consequence thereof she, the said elder Begum, applied for relief and protection to the Governor General and Council of Fort William, he the said Warren Hastings being Governor General as aforesaid; who did accordingly interfere in her behalf, by directing the Resident Middleton, some time in the year one thousand seven hundred and seventy-eight, to represent to the Nabob the consequences of such arbitrary proceedings, the reproach to which his honour and reputation, as well as that of the British Government from being connected with him, would be exposed by such acts of cruelty and injustice, and the right which the said Government derived, from the nature of its alliance with him, to expect that he would pay a deference to its remonstrances.—That in consequence of the above and other interferences, powers, and authorities, made, given, granted, or confirmed by the Governor General and Council aforesaid, the said elder Begum was finally and fully secured in the possession of the jaghires and effects, and in the government of the family of Sufder Jung, which was then stated by her, and acknowledged by the said Middleton and Warren Hastings, to be dependant upon her the said Begum; and the positive guarantee of the British nation was by the said Resident, under the authority of the said Warren Hastings, solemnly pledged to her for her protection.

That the said Warren Hastings did, some time in the months of May, June, or July, in the year one thousand seven hundred and eighty-one, illegally and unwarrantably confer upon himself complete and full military authority and command over all the troops of the East India Company stationed beyond the provinces of the said Company, and particularly over the troops stationed in the dominions of the said Vizier.

That the said Warren Hastings did about the same time, contrary to law, to his duty, and to the very nature of the powers vested in him, confer upon himself a full and complete delegation of the whole power and authority of the Governor General and Council of Fort William,

That he the said Warren Hastings, some time before, that is to say, in the year one thousand seven hundred and eighty-one, did recall the Resident at the Court of Oude, specially nominated and appointed thereto by the Court of Directors, without any fault being to be found, as he himself has since declared, with the conduct of the said Resident; and did arrogate to himself the nomination of the Resident at the Court of Oude as his particular agent and representative, and did invest Nathaniel Middleton with the said office.

That the said Nabob of Oude was in substance and effect, as well as in general repute and estimation, dependant upon, and under the control of, the Governor General of Bengal.

That he the said Warren Hastings did in substance and effect invest the said Middleton with great civil and military authority in the dominions of the said Nabob.

That the said Warren Hastings, by the above illegal delegation of authority, by the improper nomination of the Resident, by being in possession of the real, though not of the ostensible power in the dominions of the said Nabob Vizier, and by many other acts by him the said Warren Hastings himself, or by his authority, approbation, and concurrence, done and committed, he the said Warren Hastings did render himself peculiarly responsible for the good government of the said provinces.

That the said Warren Hastings was bound by the ties of justice and good faith, and by the duties of his office, and the trust reposed in him, strictly to adhere to treaties entered into or guaranteed by the East India Company or the British nation, and to attend to the happiness and security of the properties, possessions, liberties, and lives of those who either were subject to, or dependant upon, the British power in India.

That he the said Warren Hastings, under colour and pretence of the above-mentioned illegal delegation of authority, and, as he pretended, in prosecution of certain objects mentioned by him in a minute dated the twenty-first of May, in the year one thousand seven hundred and eighty-one, did undertake a journey to the Upper Provinces, and having met the aforesaid Nabob of Oude at a certain place called Chunar, did, in gross violation of his duty, of the faith of treaties, of the sanction of the Company's guarantee, and without any regard to justice or good faith, wickedly, corruptly, and maliciously enter into a certain treaty and agreement with the said Nabob, since known by the appellation of the treaty of Chunar; whereby, among other things, power was given to the said Nabob to resume such jaghires as he should find necessary, with a reservation that the amount of such as were guaranteed by the Company should be paid through the Resident in money; and although, at the time of the said treaty, no charge of any sort was made, as alledged by

by the said Warren Hastings, against the mother and grandmother of the said Nabob, and although nothing more is purported by the said treaty than a simple permission to the said Nabob, and although no particular jaghires and estates are pointed out, and although the said treaty purports to be at the desire of the said Nabob, and the execution or non-execution of the same to depend entirely upon his discretion, he the said Warren Hastings, having invested his creature Middleton with almost an absolute authority over the dominions of the said Nabob, did compel the said Nabob to become the unnatural instrument of outrage and extortion against his own parents, and after much resistance upon the part of the Nabob did force him to yield a nominal acquiescence to the desires of the said Warren Hastings, and to issue his own orders (which orders he did, at the very time of issuing the same, declare to be the effect of compulsion only) for the seizure and confiscation of the estates and jaghires of his mother, grandmother, and many of the principal nobility of his country; which said extorted orders were cruelly and violently carried into effect by the approbation and with the concurrence of the said Warren Hastings, to the subversion of property, the destruction of many ancient and honourable families, the confusion and discontent of the whole country, to the disgrace of the prince thus made the instrument of perfidy and outrage towards his parents, and to the unspeakable dishonour and disgrace of the British name and character in the eyes of all Asia; which lands, jaghires, and estates, when so taken, were first assigned to the said Resident, in part payment of the pretended debt due to the Company, and finally mortgaged to shroffs, bankers, or money dealers, for the use of the said Company, and no steps of any kind were taken, either by the said Warren Hastings, or by his order and authority, to secure the amount of the said jaghires to be paid to the said ladies; and positive orders were given by the said Warren Hastings, that the said Nabob should not be permitted to restore the said estates to his said parents, who thereby were reduced to great difficulty, distress, and want.

By all and every one of which acts and proceedings, he the said Warren Hastings was, and is, guilty of a base and flagitious violation of the solemn guarantee of the British nation, and also guilty of a breach of the treaty of Chunar, and by the means by which he effected the above crimes is further guilty of fraud, violence, extortion, and injustice towards the Nabob of Oude and his said parents, and is thereby guilty of high crimes and misdemeanors.

That not only the landed estates or jaghires, but the property, money, jewels, and other effects, of the said parents of the Nabob

of Oude, were specially guaranteed to them by the treaties aforesaid.

That the said Warren Hastings, without even the form of a treaty, and in further direct violation of the above solemn engagements, during his residence at Chunar aforesaid, did, under colour and pretence of the aforesaid illegal powers and authorities delegated to him, and under certain other false, frivolous, wicked, and malicious pretences, communicate through Sir Elijah Impey, Knight, Chief Justice of the Supreme Court of Judicature at Fort William in Bengal, first his pleasure and then his orders to the Resident Middleton, that the said treasures, solemnly guaranteed to the said Begums, should be confiscated, and that the same should be applied to the liquidation of the Nabob's pretended debt to the East India Company:

Which said pleasure and order of the said Warren Hastings was forced upon the said Nabob, and his consent to the said unjust and unjustifiable acts was wrung from him with an almost unconquerable reluctance:

That the said Warren Hastings, in prosecution of the said unjust, violent, and oppressive orders, did specially prohibit the said Middleton from allowing any negotiation or forbearance, and expressly ordered him to prosecute both services (that is, the seizure of the jaghires as aforesaid, and the confiscation of the treasures of the said ladies) until they, the said ladies, were reduced to the entire mercy of the said Nabob, their jaghires in the quiet possession of his Aumils, and their wealth in quiet possession of those who should screen it from private embezzlement; and by these and other orders given to the said Middleton, did stimulate and encourage him, the said Middleton, to every degree of severity and outrage, and threatened him with the effects of dreadful responsibility if he did not obey him, the said Warren Hastings; and in order to enable him the better to carry the same violent and unjust measures into execution, did order a large force to be marched into the territories of the said Vizier, without any request from him the said Nabob, and contrary to his declared and avowed desire and inclination.

In consequence of which pleasure and orders of him, the said Warren Hastings, and by means of the authorities and powers by him given, the said Middleton did, in conformity to the same, proceed to the city of Fyzabad with a party of British and other troops, at which city the said mother and grandmother of the said Nabob did reside; and after spending two days in negotiation (which small delay was afterwards charged as a crime by the said Warren Hastings upon the said Middleton) did first storm the town, and then the castle where the said ladies resided, and did violently, wickedly, and cruelly extort from the said

said Begums and their principal servants, a discovery of their treasures and effects, by throwing the said principal servants into prison, loading them with fetters, and by various other severities and cruelties practised towards them; which said treasures and effects were first secured by the said Middleton, or by his authority, and afterwards applied to the use of the East India Company.

That the said Resident, Middleton, or his assistant Resident, Johnson, in farther prosecution of the orders of the said Warren Hastings, and in order to satisfy the unjust, oppressive, and rapacious demands of him, the said Warren Hastings, did compel the principal ministers of the said Begums to enter into certain securities for divers large sums of money, and extort the payment of the same by means horrid and cruel, by throwing the unfortunate ministers aforesaid into prison, loading them with irons, depriving them of food, and by means of various other indignities and severities: And the said payment was finally made by the sale, or pretended sale, of the effects, clothes, and wearing apparel of the said ladies; which said seizure of the treasures of the said Begums, the imprisonment of their ministers, and subsequent sale of their effects, were conducted with circumstances of aggravated atrocity, highly disgraceful to the British name and character, and were the means of reducing the mother and grandmother of the then reigning prince of Oude to the utmost distress, under the pretended authority of the said prince, and of reducing the women and children of the late Nabob Suja ul Dowla, dependent upon the said Begums by want of the mere necessaries of life, to break through all the principles of local decorum which constitute the character of the female sex in that part of the world, and after fruitless supplications and shrieks of famine, to endeavour to break the inclosure of the palace, and force their way to the market-place, in order to beg for bread, and finally to submit to the extremity of disgrace and degradation, by exposing themselves to public view, with the starving children of their late sovereign, the brothers and sisters of the reigning prince; in which attempt they were attacked by the Sepoys armed with bludgeons, and driven back by blows into the palace: For all which circumstances of cruelty and barbarity the said Warren Hastings is in a peculiar manner responsible, many, if not most of the same being the necessary and inevitable consequences of the illegal powers assumed by the said Warren Hastings, and the atrocious and unjust orders given by him, and many of the said severities and cruelties being made known to the said Warren Hastings by the Resident or others; he, the said Warren Hastings, although informed of the same, did take no steps for the redress of the said cruelties, but, on the contrary, did declare the same to be justly

justly merited, and did stimulate and encourage his agents and others to continue and enforce the same.

By all and every one of which actings, doings, and proceedings, by him, the said Warren Hastings, or by his authority, counsel, connivance, or criminal neglect, done, perpetrated, and committed, he, the said Warren Hastings, was, and is, guilty of high crimes and misdemeanors:

Which said crimes and misdemeanors are not only greatly aggravated and increased by the outrage and violence offered to the persons and properties of the said ladies, the cruelties practised towards their ministers, and the misery, degradation, and want to which they themselves and their dependants were reduced; but are also further aggravated by the instruments employed by the said Warren Hastings in the perpetration thereof, the one being a son, who was compelled to become the instrument of extortion and violence against his own parents, and the other being his Majesty's Chief Justice in India, a person by his situation peculiarly unfit to become the tool of such atrocious proceedings.

And the said crimes are farther aggravated and increased by the false, frivolous, wicked, and malicious pretences, which he the said Warren Hastings has endeavoured to set up in justification of the above disgraceful and atrocious acts, and which he has attempted to impose upon his masters, the Directors of the East India Company, and the British nation, and by the malicious and unfounded accusations which he has since brought against the said Begums, and which he has endeavoured to support by means highly disgraceful to British government, and by a scandalous prostitution of the sacred character of British justice in India.

And the said Warren Hastings has farther aggravated his said offences, by audaciously stifling an enquiry into the crimes charged by him the said Warren Hastings upon the said princesses; which enquiry he was bound to make, because the Court of Directors did declare themselves dissatisfied with the scandalous evidence transmitted by him in his justification of the wicked acts aforesaid, and did in effect and substance direct him to make a fuller enquiry, and to procure, if he could procure, evidence fitter for his justification, and to give the oppressed women of rank aforesaid the means of objecting to the said evidence, and of producing evidence on their part; and the said enquiry, in consideration of the true intent and meaning of the letter from the Court of Directors, was proposed by his colleague, John Stables Esq. and resisted by the said Warren Hastings, who did thereby presumptuously endeavour to pass an act of indemnity for his own crimes, did wantonly insult the sufferings of the allies of the Company, and shew an indecent contempt

contempt of the authority and opinions of the Directors, his lawful masters.

And all the above acts and deeds are still more highly aggravated by the gross and avowed corruption in which they originated; the said Warren Hastings at or about the time when he executed the said treaty at Chunar, withdrew the guarantee, and planned the seizure of the treasures as aforesaid, having accepted and taken to his own use a present or bribe of one hundred thousand pounds from the said Nabob of Oude, contrary to his duty, the orders of his masters, and the positive directions of the law, to the great discredit, disgrace, and dis-honour of the British name and character.

A R T I C L E T H I R D.

THAT certain treaties of amity and friendship were entered into between Suja ul Dowla, Vizier of the empire, and Achmet Khan, a chief of the nation of Affghans, or Pattans, a prince of a noble and ancient family, whose ancestors fill a respected station in the annals of Indostan, and who from an early period have been the friends and allies of the British power in India.

That during the life of the said Achmet Khan, the said Suja ul Dowla did unjustly withhold and retain possession of certain territories which did of right belong to the said Achmet Khan, and both he, and his son and successor Asoph ul Dowla, did, under pretext of friendship, protection, and guardianship of Muzaffer Jung, son and successor to the said Achmet Khan, make new and repeated invasions of the rights and possessions of the said Muzaffer Jung, during his minority; and did fraudulently obtain from him the said Muzaffer Jung, an instrument, or pretended instrument or treaty, derogatory to former treaties, and the rights of Muzaffer Jung, under colour of which, or under some other colour or pretence, the Nabob Asoph ul Dowla aforesaid, Vizier of the empire, did place the territories of the said Muzaffer Jung under the authority of an officer, appointed by him the said Nabob Vizier, called a sizwall, or sequestrator, the severe exercise of whose undue authority in the collecting of a tribute, concerning the justice of which Warren Hastings has expressed doubts, but the amount of which has invariably continued a part of the funds assigned by the

the Vizier as a provision for the several public demands of the East India Company on him the said Vizier, was the cause of great ruin to the country, and of many complaints from the said Muzaffer Jung.

That Warren Hastings Esquire, being Governor General as aforesaid, and the said complaints being made to the British Government by the said Muzaffer Jung, he the said Warren Hastings " did deem it incompatible with the dignity and honour of the government over which he presided, to appear to " countenance the exercise of an authority altogether unsupported " by equity and justice, and much more so to share in the " odium of a severe and oppressive exercise of such an au- " thority ;" and did, " from motives of common justice, and " from a sense of the Nabob Muzaffer Jung's weakness and in- " capacity, and of the knavery and corruption of his servants," on or about the twenty-second day of May, in the year one thousand seven hundred and eighty, propose to his Council, in order to relieve the said Muzaffer Jung from the indignity and hardships under which he laboured, entirely to withdraw the fizwall, and to nominate one of the Company's civil servants to that trust, with the same powers as formerly exercised by the said native officer, subject to the authority of the British Resident at the Court of Oude :

Which proposition was carried into effect upon the reasons, and for the purposes mentioned and declared by the said Warren Hastings, in a minute dated the said twenty-second day of May, in the year one thousand seven hundred and eighty ; and in consequence thereof George Shee was appointed to the office aforesaid.

That by the aforesaid acts done by the said Warren Hastings, and by various powers and authorities given or authorised by him, the said Muzaffer Jung was completely taken under the East India Company's protection ; which Company, and their servants and representatives, and particularly the said Warren Hastings, their Governor General, became responsible for the good government of the territories of that prince, whom they had thus put in a state of pupillage, and were bound to protect him, not only from the oppressions of the officers of the said Vizier, but also from the effects of his own weakness on the one hand, and the knavery and corruption of his servants on the other.

That he the said Warren Hastings falsely pretending, that if Muzaffer Jung must endure oppression, he the said Warren Hastings durst not then propose his relief :

And that the authority of the said Shee was more subversive of the authority of the said Muzaffer Jung than that of the Vizier's officer, and the exercise of it more oppressive :

And

And also falsely pretending, that the Nabob Muzaffer Jung was equally anxious with the Vizier for the recal of the said Shee :

And further falsely pretending, that it was the desire of him the said Warren Hastings, that a proper guardian should be selected for him the said Muzaffer Jung, from among the ancient dependants of his family, he the said Warren Hastings, upon these and other pretences, equally false, and not possessing any legal authority to enter into, or to conclude, any treaty whatsoever, and having, at or about the same time, received from the said Nabob of Oude a present or bribe of ten lacs of rupees, did, at a certain place called Chunar, enter into a certain treaty or agreement, dated the nineteenth day of September, in the year one thousand seven hundred and eighty-one, with Asoph ul Dowla aforesaid, Nabob of Oude ; by which treaty he did expressly stipulate, "that no British Resident should be appointed at Farruckabad, and the present one recalled ;" by which treaty he did abandon that country, the protection of which he had but a short time before undertaken from motives of common justice, and did deliver over the helpless prince thereof to the rapacity of the Vizier and his servants, the exercise of whose authority over the said Muzaffer Jung he the said Warren Hastings has declared to be founded neither in equity or justice.

That the said Warren Hastings did, neither at the time of making the said treaty, nor has he since, ever attempted to bring the said Shee to any trial for the pretended oppression of which he thus accused him ; on the contrary, he very soon after his recal did confer upon him a large pension, and did shortly after confer upon him a high judicial office, for which he was peculiarly unfit, if he had ever been guilty of any such crime.

That the said Warren Hastings did neither then, nor has he since, ever given the least reason to believe, that any of the pretences upon which he grounded the said treaty had any foundation whatever in truth ; on the contrary, there is every reason to conclude, that they were totally false, and that the bribe aforesaid was the real, and the said pretended reasons only the ostensible grounds for the said treaty.

That the said Vizier understanding the said treaty (as it was really meant) to give him an uncontroled authority over Farruckabad ; and that, by the same, he was left to settle his matters as he could with the said Muzaffer Jung ; he the said Vizier did shortly after appoint a certain person, named Allmas Ali Cawn, to be fizwall at Farruckabad, which appointment the said Warren Hastings did very soon after compel him to recal, and by that compulsion did violate the very treaty of Chunar, which he had but a few weeks before entered into with the said Vizier.

That the said Warren Hastings did, nearly about the same time, that is to say, on or about some day in the month of November, in the year one thousand seven hundred and eighty one, recommend one Subghut Ulla, a servant of the said Muzuffer Jung, to have the chief management of his affairs:

Which said recommendation was in direct contradiction to the reason given by the said Warren Hastings for the appointment of the said Slave, he having then declared the knavery and corruption of the servants of the said Muzuffer Jung to be such, that it was necessary he should be taken out of their hands.

That the said Warren Hastings did, at or about the time of the said recommendation, make himself responsible to the Vizier for the payment of the tribute payable to the said Vizier by the said Muzuffer Jung; which tribute was not paid, either by the said Subghut Ulla or the said Warren Hastings; and by the non-payment of which he the said Warren Hastings was guilty of another breach of faith to the said Vizier.

That the said Warren Hastings, alledging that the said Subghut Ulla had reported that the interference to which his master owed his then protection was purchased by him from the English gentlemen, meaning thereby the Governor General and Council, or Chief Justice, or some of them, or some other English persons in authority, or possession of influence in the government, did, of his own authority, in the month of April, in the year one thousand seven hundred and eighty-two, order the said Subghut Ulla to be dismissed from the service of the said Muzuffer Jung, contrary to the earnest wishes and desires of the said prince; and the said Warren Hastings, having ordered such dismission, did take no care whatever to place the affairs of the said Muzuffer Jung in the hands of any proper person, but did again expose the unfortunate prince aforesaid to the ruinous effects of his own weakness, and the knavery and corruption of his servants, from the effects of which weakness, knavery, and corruption, it was the duty of the said Warren Hastings to guard the prince whose protection he had undertaken.

That the said Warren Hastings did further, some time in the month of August, in the year one thousand seven hundred and eighty-two, under pretence of the said report propagated by one of the servants of the said Muzuffer Jung, communicate his resolution of withdrawing the British protection from the said Muzuffer Jung to the Nabob Vizier, and did direct that effectual assistance should be given to the Vizier, for the recovery of his claims upon Farruckabad, concerning the justice of which claims the said Warren Hastings has himself expressed doubts; and the said Vizier accordingly did re-appoint a native fizwall, a subject or servant of him the said Vizier, who was established in his authority, and maintained in the same, by means of a British military

military force, commanded by British officers, and under the direction of the British Resident; which said acts, done upon the pretence aforesaid, were in manifest contradiction to every principle of justice and equity towards the said Muzuffer Jung.

That the said native sizwall did aggravate and renew the severities exercised by the former native sizwall against the said Muzuffer Jung, to the utter extinction of his rights, and the depriving him of the means of subsistence, which said severities and cruelties were made known to the said Warren Hastings so early as the month of October, in the year one thousand seven hundred and eighty-two; and complaints concerning the same were repeated frequently, and particularly in the month of February, one thousand seven hundred and eighty-three, with assurances, that if relief were delayed, the existence of the said Muzuffer Jung and his family became doubtful and difficult: Yet nevertheless the said Warren Hastings did, in direct breach of his duty, delay to bring the said complaints before his Council, from the month of October, in the year one thousand seven hundred and eighty-two, till the month of October, in the year one thousand seven hundred and eighty-three, and did, during the whole time aforesaid, leave the said Muzuffer Jung under the severe exercise of an authority, which in truth, and according to his own declaration, was unsupported by equity and justice, and which authority it was incompatible with the honour and dignity of a British government to appear even to countenance, but which authority was solely established and maintained by the means of a British military force, subject to the orders and commands of the said Warren Hastings and his colleagues.

That the said Warren Hastings did, in the month of October, in the year one thousand seven hundred and eighty-three, make a proposal to his Council for the appointing a British Resident at Farruckabad, pretending he did the same from a sense of submission to the implied orders of the Court of Directors, but really from a conviction long since entertained by him of the necessity of such an appointment for the preservation of our national credit, which national credit, however, he had put it out of his own power to preserve, without a breach of the national faith, pledged to the Vizier by the treaty of Chunar.

That in consequence of such proposal, John Willes Esquire was appointed to the office of Resident at the city of Farruckabad, and did proceed to the said city in execution of his duty, in which however he was much impeded by the neglect and by the orders of the said Warren Hastings; by which treaty aforesaid, entered into at Chunar, the implied consent given by the same to the appointment of a native sizwall, and subsequent breach of faith to the Vizier by ordering his recal; the delivery over of Muzuffer Jung to the corruption of his servants; re-delivery of him to the

rapacity of the Vizier's servants ; re-appointment of a British Resident, in direct contradiction to the said Chunar treaty ; and by all the other acts and deeds before mentioned, done and omitted to be done by him the said Warren Hastings, he has been guilty of great negle&t of duty, usurpation of authority, complicated breach of treaty, and duplicity, towards both the said Vizier and the said Muzaffer Jung, to the great disgrace of the British name, and the discredit of the British government in India ; having reduced himself to the situation that he could neither deliver Muzaffer Jung from oppression, without a breach of faith to the Nabob Vizier, nor suffer him to remain under the said oppression, without violating all faith and justice with regard to him.

And by all and every one of the aforesaid acts, done, perpetrated, and committed by him the said Warren Hastings, he was, and is, guilty of high crimes and misdemeanors.

ARTICLE FOURTH.

THAT it was the duty of Warren Hastings Esquire, while Governor General of Bengal, strictly to attend to the expenditure of public money ; and more particularly, in a time of war and public distress, to be careful that those revenues upon which the welfare and safety of the empire did necessarily depend, should not be diminished or ruined by dissipation and prodigality, and should not be diverted from the public service, and squandered for the purpose of increasing his own personal influence, and providing for his dependants.

That it was the duty of Warren Hastings Esquire, in every instance in his power, to pay due obedience to the orders of the Court of Directors, his lawful superiors.

That it was a fundamental regulation of the East India Company, that all contracts should be put up to public auction, and disposed of to the best bidder. And it was, by the thirty-sixth paragraph of the instructions given by the Court of Directors of the East India Company, to the Governor General and Council, dated some day in March, in the year one thousand seven hundred and seventy-four, specially directed, That all contracts, with the conditions, should be publicly advertised, and sealed proposals delivered in for the same ; and that every proposal should be opened in Council, and the preference given to the lowest, provided

vided sufficient security should be offered for the performance of the same; and that all such proposals, with all proceedings thereupon, should be entered in a book, and be regularly transmitted to the Court of Directors.

That it was the express order of the Court of Directors of the East India Company, that their servants in Bengal should advertise for, and should receive every year, such proposals as might be offered for supplying the troops with provisions, and for furnishing draft and carriage bullocks to be employed with the army; and that they should in all cases accept the proposals which might appear most reasonable in point of charge; and that they should take care, that in all their advertisements a sufficient time should be allowed, before the expiration of the contract which might then subsist, or the time which they might limit for receiving proposals, for such persons who might become candidates for the contractorship to prepare their proposals for such contract.

That divers other orders and commands, to the same purpose and effect, have been issued by the said Court of Directors, at different times, to their servants in India.

That the opium produced in Bengal and Bahar is a very considerable and lucrative article in the export trade of those provinces; and has of late years been under a monopoly for the advantage of the East India Company, and has been provided by a contractor; previous to the making a contract with whom, and in the contract made, all the rules and regulations prescribed by the Directors of the East India Company ought to have been substantially observed and followed.

That it was particularly directed and ordered, that the said opium, when so provided, should be consigned to the Board of Trade, who were directed to dispose of the same by public auction.

That it was further the duty of the said Warren Hastings, not only to be careful in the expenditure of the public money, in the making of contracts, and in providing for services; but it was also his duty to be particularly careful not to lavish the money of his employers in excessive salaries and emoluments to favoured individuals, contrary not only to the general principles of his duty, but to the positive orders of his masters.

That the Court of Directors did especially order and direct that the sum of six thousand pounds per annum, or some other such sum, should be paid to the Commander in Chief, in full for his services, as Commander in Chief, in lieu of travelling charges, and of all other emoluments whatsoever.

That it was particularly the duty of the said Warren Hastings not to create, by his prodigality, that public distress, which he has since offered as the principal, if not the only excuse, for

many

many of his violent and oppressive acts ; and it was particularly his duty not to rob, by enormous and extravagant pensions to his friends and favourites, that prince, whose subsidy to the Company was among its best resources, but whose wants and necessities had forced him to incur an enormous debt to the Company, to the ruin of his country, and the great distress of the East India Company.

That the said Warren Hastings, without regard to his duty, or the trust reposed in him, the distress of the Company, or the orders of the Court of Directors, did, in pursuance of a system of profusion and prodigality, and with a view to enrich his favourites and dependants, enter into many and various contracts, without the least attention to the wholesome orders above mentioned ; which said improvident and corrupt contracts did greatly tend to the impoverishment and ruin of the East India Company.—And he the said Warren Hastings did further authorize and approve of many enormous salaries and extravagant allowances to his favourites, and did lavish away much of the resources of the Company, and of the princes in alliance with them, in the same.—And in particular,

Having granted a contract for the provision of opium to John Mackenzie for three years, without having advertised for the same, which said transaction was condemned by the Court of Directors ; and having, contrary to the orders above mentioned, taken away the sale of opium from the Board of Trade at Calcutta ; he the said Warren Hastings did, in the year one thousand seven hundred and eighty-one, grant to Stephen Sullivan Esquire, son to Lawrence Sullivan (a person of great weight and influence with the East India Company, and then, on or about that time, Chairman of the Court of Directors of the said Company), a contract for the provision of opium for four years, without advertising for the proposals, and even, as far as appears, without receiving any written proposals from the said Sullivan for the same—And in the said contract did omit the clause inserted in the preceding contract, providing that the same should be liable to be determined by the orders of the Court of Directors ; and did further take away sundry restrictions usually and providently imposed upon the contractor in contracts of that nature ; and, among other things, did abolish the office of inspector into the quality of the opium, an office instituted for the sole purpose of preventing fraud upon the part of the contractor, and did not only grant the said contract in a manner contrary to the orders of his masters, but upon terms glaringly extravagant and wantonly profuse, for the purpose of creating an instant fortune to the said Sullivan, at the expence of the East India Company ; the said Sullivan possessing neither local knowledge nor skill in the particular manufacture ; which said Sullivan did never

never execute, or attempt to execute, the said contract, but did, on or before the execution of the articles between him and the Governor General and Council, transfer the same to John Benn Esquire, for the sum of three hundred and fifty thousand rupees, or some other large sum; which said Benn did, almost at the same time, transfer the same to another, for the sum of one hundred and forty-nine thousand rupees, or fourteen thousand nine hundred pounds per annum, or some other large sum, to be paid to him during the duration of the same.

That the said Warren Hastings, in breach of his duty aforesaid, and upon pretence that there was little demand for the commodity which he had thus monopolized at an extravagant rate, and upon a pretence that no purchaser had offered, and that there was little prospect of any offering; although the said Warren Hastings did make no attempt to sell the same; and although the Directors of the East India Company had specially ordered the same to be consigned to the Board of Trade, and put up to public auction; and although, in point of fact, there were persons in Calcutta who had authority to bid for the whole, or the greatest part of the said opium—Yet the said Warren Hastings, in order to favour certain individuals, did borrow money at a large interest, for the purpose of advancing the same to the contractor aforesaid, and did finally engage the East India Company in a smuggling adventure, of a complicated and expensive nature, to China, where the importation of opium is expressly forbidden, not only to the great risk and hazard, but to the great actual loss of the said East India Company, and to the great disgrace of the British character in India.

That the said Warren Hastings, in further prosecution of the said system of disobedience to the orders of his superiors, and of prodigality and profusion above mentioned, having, some time in the year one thousand seven hundred and seventy-seven, accepted of proposals for providing draft and carriage bullocks to the army for three years, without advertising for the same, did, while one half of the time limited for the duration of the said contract was unexpired, and without any complaint upon the part of the contractor, and without any complaint upon the part of the army, that the said contract was inadequate to the regular supply, first approve of, and then carry in Council, a resolution that a proposal should be made on the part of the Government to the then contractors, for dissolving the then existing contract, and entering into a new contract for five years, upon terms infinitely more advantageous to the contractor, and more injurious to the East India Company, than the then subsisting contract; and did by the same agree for the keeping of a number of bullocks far exceeding the number which the Commander in Chief had some time before declared to be sufficient for the whole

whole army, and at a rate infinitely higher than that of the then existing contract; which said unnecessary increase, both in the number and rate, did create a most wanton and enormous expence to the East India Company, of no less a sum than near fifty thousand pounds per annum, or some other large sum, more than the then existing contract; which said proposal and resolution was finally carried into effect, and a contract for the same granted to Charles Croftes, the confidential friend of the said Warren Hastings, to the great loss and damage of the East India Company, and in every respect contrary to the express orders and direction of the Court of Directors.

That the said contract did contain a clause, by which it was agreed, that if at the end of four years the East India Company, or their servants, should not give notice to the contractor of their desire to put an end to the said contract, that then, and in that case, the same should be continued for one additional year, beyond the term of five years.

That the Directors of the East India Company did condemn, in strong and pointed terms, the above contract, and did direct that, one year at least before the expiration of the same, advertisements should be issued for proposals for a new contract upon the lowest terms; yet the said Warren Hastings did neglect, at or before the expiration of four years, to give such notice as aforesaid; by means of which neglect the said contract was extended to six years by virtue of the clause aforesaid, as by reference thereto will more fully appear; by which extension the Company were not only, by the culpable neglect of the said Warren Hastings, put under the necessity of continuing an extravagant and improvident contract for a longer time than they were bound to do, but a pretence was afforded to the said Warren Hastings to purchase a relinquishment of the said contract, upon terms nearly, if not equally, extravagant with the contract itself, to the great loss and damage of the East India Company. And the said Warren Hastings, after the extravagant purchase, did further, in direct contradiction to his duty, and to the orders of his masters, grant the provision of bullocks for the army to one Sir Charles Blunt, by the mode of agency, a mode of conducting the business condemned by the Court of Directors, as one in which private influence is likely to prevail over public advantage, where every erroneous calculation turns to the loss of the public, and where the expence is uncertain and indefinite.

That the said Warren Hastings did, by the said acts done and omitted, first wantonly waste the treasure of his employers, and positively disobey the orders of his masters in granting the said contract; then culpably neglect his duty, by not giving notice to the contractor of the Company's intention of putting an end

end to his contract ; next did prodigally and extravagantly purchase the relinquishment of the right thus gained to the contractor by his own neglect ; and finally disobey the repeated orders of his masters, by the mode in which he conducted the business after the contractor's right was thus bought.

That the said Warren Hastings did, some time in the year one thousand seven hundred and seventy-nine, in further prosecution of the said corrupt and prodigal system of government, and in direct contradiction to his duty, and the orders of his superiors, and with a view to increase his own influence, create an establishment for Sir Eyre Coote, then Commander in Chief, at an expence of no less a sum than one hundred eighty-four thousand one hundred and sixty-two rupees per annum, or about eighteen thousand pounds sterling, which said establishment was created in consequence of a claim which the said Sir Eyre Coote made to certain allowances granted by the said Warren Hastings to Giles Stibbert, provincial Commander in Chief, before the arrival of Sir Eyre Coote in India : which allowances, to the amount of about eight thousand pounds per annum, the said Sir Eyre Coote contended did devolve upon him ; and although there was no pretence to continue the same to the said Stibbert, yet, nevertheless, the said Warren Hastings did continue the said allowances to the said Stibbert, and did further allow the above sum of eighteen thousand pounds per annum, or some other large sum, to the said Sir Eyre Coote, in lieu of the allowances thus demanded by him.

That the said Warren Hastings did further, in prosecution of the said system of profusion and prodigality, and also in direct violation of the treaty between the East India Company and the Nabob Vizier, some time in the year one thousand seven hundred and seventy-nine, order and direct, through the means of his Council, that the extravagant allowances aforesaid should be added to the general debit of the Nabob Vizier's account by the Resident at Lucknow, and that the same should continue so long as the General should remain beyond the river Carum-nassa.

That although the Court of Directors, some time in the month of October one thousand seven hundred and eighty, did pointedly condemn the said allowances, and order the same to be discontinued, yet the said Warren Hastings, in direct breach of his duty, of the treaty with the Vizier, and of the orders of his masters, did, of his own private authority, continue to the said Sir Eyre Coote certain large allowances, to the amount of fifteen thousand five hundred and fifty-four rupees, or thereabouts, per month, or about twenty-one thousand six hundred and fifty-four pounds per annum ; which allowances continued, by the sole command and private authority of the said Warren

Hastings, to be paid by the Vizier for the use and behoof of the said Sir Eyre Coote, not only while he continued in the province of Oude, but even while he was with the British army upon the coast of Coromandel.

By which acts, orders, allowances, and contracts, made and granted, and ordered and done by the said Warren Hastings, he the said Warren Hastings has been guilty of direct disobedience of orders; of enormous profusion; of prodigality and waste of the public treasure, in a time of war and difficulty, in these few instances alone, to the amount of five hundred thousand pounds sterling, or some other large sum of money. And by all and every one of which acts and deeds, by him the said Warren Hastings, done, perpetrated, and committed, he the said Warren Hastings was, and is, guilty of high crimes and misdemeanors.

That in further pursuance of the same prodigal and corrupt system of government, the said Warren Hastings did, some time in or about the month of December, one thousand seven hundred and eighty, nominate and appoint James Peter Auriol Esquire, to be agent for the purchase of supplies for the relief of the Presidency of Madras, at which settlement there was then a great scarcity of provisions.

That the said Warren Hastings, then uniting in his own person all the powers of government, did give to the said Auriol a commission of fifteen pounds percent. upon all purchases to be made by him, and all expences of shipping and freightage, and all other expences whatsoever incurred in consequence and by reason of the said purchases, although the said Auriol had required only the usual commission for his trouble, and notwithstanding the said Warren Hastings did know that the rate of five pounds per cent. only was the customary allowance made to merchants when employed in transactions of the like nature.

That the said Warren Hastings did, at the same time, that is to say, in or about the month of December, one thousand seven hundred and eighty, further nominate and appoint the said James Peter Auriol to be agent of supplies to all the other Presidencies, and to the island of St. Helena; and did allow him the same commission of fifteen pounds per cent. as aforesaid, although the said Auriol, in the proposal by him delivered to the Board, did only make offers for the supply of the Presidency of Madras, and notwithstanding the said Warren Hastings did neither know, or pretend to know, that any extraordinary supplies were then wanted by the other Presidencies, or by the island of St. Helena, or that a sufficient complaint had been made by any of the Presidencies, or island aforesaid, of the mode by which, or the persons by whom, they had been usually supplied with provisions.

That the said Warren Hastings, at the time of such appointment, did illegally and scandalously, and upon a principle at once subversive of subordination and œconomy, declare, that the aforesaid post of agent was intended as a reward for his, the said Auriol's, long and laborious services, the said Auriol being then, and having been for some time before, one of the Secretaries of the Supreme Council, which office, at the time when the said Auriol succeeded to the same, had, by the public authority of the Board, suffered a reduction in the regular salary annexed to it.

That the said Warren Hastings, being himself sensible of the very exorbitant gain which accrued to the said Auriol from the rate of commission originally allowed to him, did, on the twenty-fifth day of March, propose in Council a reduction thereof to five pounds per cent. on the freight, charges of shipping, and all other charges, which sum the said Warren Hastings did then represent to be the amount drawn by merchants; but the said Warren Hastings was therein guilty of criminal misrepresentation to his masters, inasmuch as it was not customary for merchants to draw any commission for freight, charges, or shipping, or any other charges, and no more than a commission of five pounds per cent. on the purchases alone, on which the said Warren Hastings did suffer the said agent Auriol still to draw the original allowance of fifteen pounds per cent.; and the rice and other provisions supplied by the said Auriol having been found, in divers instances, of a bad and insufficient quality, deficient in measure, and not corresponding with the musters and invoices thereunto relating, and divers complaints thereof having been received by the said Warren Hastings, he the said Warren Hastings did not only continue the said Auriol in the said agency, but did discourage all just and necessary inquiry into the execution of so important a service, and all complaints of the non-performance thereof.

That in all the aforesaid declarations, acts, and deeds, by him made and done, and committed, in violation of his duty, and in breach of the high trust reposed in him, the said Warren Hastings was, and is, guilty of high crimes and misdemeanors.

That in further prosecution of the same prodigal and corrupt system of government, the said Governor General, Warren Hastings, did, some time in or about the month of November, one thousand seven hundred and seventy-six, propose in Council to create, and did induce the said Council to concur in creating, a new office or appointment, that is to say, the appointment of an agent for the supply of stores and provisions for the garrison of Fort William in Bengal, for which appointment no adequate necessity did then exist.

That the said Warren Hastings did, in a spirit of criminal partiality to his own favourites, nominate and appoint to the said agency John Belli Esquire, who at that time was, and did continue to be, the confidential and private secretary of the said Warren Hastings.

That, notwithstanding the said Warren Hastings, at the time of creating the said office or agency, had consented to take the opinion of respectable merchants in Calcutta, in order to ascertain the rate of commission proper to be allowed to the said agent; and notwithstanding that the opinion of the said merchants was formally reported to the Board, wherein they the said merchants did declare that a commission of twenty pounds per cent. per annum, to be allowed to the said agent, upon all purchases by him to be made, would be a full and sufficient compensation for all the trouble and expences of the said agent, in consequence of executing the said office, yet the said Warren Hastings did propose in Council, and by his own casting voice did grant, an allowance of commission, of thirty pounds per cent. per annum, upon all purchases to be made by him the said agent as aforesaid.

That the said Warren Hastings did at the same time engage and make himself answerable to the Council, that in case the Court of Directors should disapprove of and disallow the said allowance or commission of thirty pounds per cent. he would himself become bound for the repayment of such part thereof into the Company's treasury, and for their use, as should be so disallowed or ordered to be repaid by the Court of Directors, thereby manifesting a degree of connection and concern in the interests of the said Belli, of a most suspicious appearance and dangerous example.—But nevertheless the said Warren Hastings, when thereunto required by the orders of the Company, did refuse to comply with and fulfil the said engagement of repaying to the Company any part of the profits so granted to the said John Belli, as aforesaid.

That the said Warren Hastings did, some time on or about the month of August, one thousand seven hundred and seventy-nine, at a time when he knew the Government of which he was the head was about to expire, convert the said agency into a contract, and upon the same advantageous terms, and at the same rates of allowance to the said Belli, for the space of five years, thereby engaging the Company in the support of an unnecessary and expensive establishment, contrary to the orders of the Court of Directors, for the purpose of creating and securing a fortune to one of his own dependants, in defiance of the lawful authority of the Court of Directors, and in subversion of the just rights and powers of any Governor who might be appointed to succeed him.

In

In all which declarations, engagements, acts, and proceedings, by him made, done, proposed, and perpetrated, the said Warren Hastings was, and is, guilty of high crimes and misdemeanors.

A R T I C L E F I F T H.

THAT Sujah ul Dowlah, Nabob of Oude, and Vizier of the empire, did, in the year one thousand seven hundred and seventy-four, engage in a war with the tribe or nation of the Rohillas. That Warren Hastings, whilst he was President of the Presidency of Fort William in Bengal, did engage the United Company of Merchants trading to the East Indies, to assist the said Sujah ul Dowlah in the prosecution of the said war.

That the Nabob Fyzoola Khan, a chief of the Rohillas, a prince of a mild and pacific disposition, and faithfully attached to the said United Company and the English nation, did, in the year one thousand seven hundred and seventy-four, at the time of the extirpation or expulsion of that tribe or nation, save himself by retreat.

That, trusting to the good faith of the said Company and the English nation, he did, soon after such retreat, viz. in the month of May, in the year one thousand seven hundred and seventy-four, make overtures of peace, by sending a vakeel or ambassador to Alexander Champion, Commander in Chief of the forces of the Company in Bengal, and, at the time of such overture for peace as aforesaid, commanding the troops of the Company then serving against the said Rohillas.

That the said Alexander Champion did, for divers weighty and sufficient reasons by him then set forth, warmly recommend to the President and Council of the said United Company, nominated and appointed for the government of the affairs of the said Company in Bengal, by and through the said Warren Hastings, whilst he was President as aforesaid, to agree to such overtures of peace as aforesaid: That the terms of peace so offered by the said Fyzoola Khan, were wise and advantageous, as well to the said Vizier as to the said United Company: That the said Warren Hastings, without any valid objection being set up or inforced by him, in answer to the reasons of sound policy,

licy, moderation, and justice, recommended by the said Alexander Champion as aforesaid, did, on or about the month of June, one thousand seven hundred and seventy-four, instruct and desire the said Alexander Champion not to solicit the said Sujah ul Dowlah to relinquish his conquest of the said Fyzoola Khan, but to encourage him therein; whereby the said Warren Hastings did act in violation of the principles of justice and sound policy, and contrary to the duties of his station.

That, as well at the time last aforesaid, as at the time herein next set forth, the government of the said United Company in Bengal was carried on by a President and Council: That, for the better government thereof, a Select Committee was appointed, consisting of the President and certain other members of the Council—That the President had no authority to act singly, nor any right to send orders without the concurrence of the said Council or Select Committee.

That the said Warren Hastings, whilst he was President as aforesaid, did, on divers days in the month of September, in the year one thousand seven hundred and seventy-four, and on divers other days and times, in conjunction with the Select Committee aforesaid, testify his satisfaction on the prospect of an accommodation, and his hope that the said Vizier Sujah ul Dowlah would accede to lenient terms respecting the said Fyzoola Khan, and, together with the said Committee, did communicate the same to the said Alexander Champion. That, nevertheless, the said Warren Hastings, not regarding, but grossly violating, his said public order or instruction, did on or about the sixteenth day of September, one thousand seven hundred and seventy-four, by himself, without the participation of the members of the said Select Committee or Council for conducting the government of Bengal as aforesaid, direct the said Alexander Champion and Sujah ul Dowlah not to come to any terms of accommodation with the said Fyzoola Khan, but to dictate the conditions of peace, and admit only of the acceptance of such conditions without reservation. By which last-mentioned conduct, the said Warren Hastings did not only violate the duty of his station, by, as far as in him lay, illegally and clandestinely counteracting the avowed object of the orders of the said Select Committee, but by such his faithless duplicity did risque the putting an honourable period to the Rohilla war.

That, previous to the receipt of these secret orders of the said Warren Hastings, by the said Alexander Champion, a treaty of peace and friendship between the Vizier Sujah ul Dowlah, and the Nabob Fyzoola Khan, was finally signed and sealed on the seventh day of October, one thousand seven hundred and seventy-four, at a place called Llal Dang. That, in consideration of concluding the said treaty, the Nabob Fyzoola Khan agreed

agreed to pay, and did in fact pay, the sum of fifteen lacks of rupees, or one hundred and fifty thousand pounds sterlinc, and upwards, or some other large sum of money, to the Vizier Sujah ul Dowlah.

That by the said treaty, the Nabob Fyzoola Khan, in consideration of the above-mentioned sum of money so paid by him to the Vizier, was established in the quiet possession of the territories of Rumpore, Shawabad, and some other districts of the country dependant thereon, in the nature of jaghires, or landed estates.

That the said Alexander Champion was invested with power to engage the guarantee of the Company to the treaty aforesaid. That he did, on the day and year last aforesaid, sign and seal the treaty of Llal Dang, meaning to engage, and he did thereby engage, the said United Company to guarantee the same.

That the said Warren Hastings understood the guarantee of the said Company to be so engaged.

That the said Fyzoola Khan did conceive doubts respecting the security of the jaghires, and apprehensions that the validity of the guarantee of his jaghires would be disputed; and in consequence thereof did, on divers days and times, in the year one thousand seven hundred and seventy-seven, as well as at divers days and times afterwards, through Nathaniel Middleton, at that time Resident at the Court of Oude, by the appointment of the said Warren Hastings, and by divers letters and otherwise, entreat the said Warren Hastings to confirm the said guarantee of the United Company to him the said Fyzoola Khan so granted as aforesaid; but the said Warren Hastings, whilst he was Governor General, as aforesaid, did not communicate to the Supreme Council of Bengal, but did, for many months, conceal and keep secret the solicitations of him the said Fyzoola Khan respecting the said guarantee; and did not, as was his duty, lay the same before the said Council until the ninth of March, one thousand seven hundred and seventy eight. That the said Hastings did then communicate to the said Council a letter from the said Middleton, notifying, that he the said Middleton had appointed Daniel Octavus Barwell Esquire, to go to Rumpore, the capital and residence of the said Fyzoola Khan, to enquire into the truth of certain reports, circulated to the prejudice of the said Fyzoola Khan respecting the said treaty. That the said Warren Hastings, whilst he was Governor General, did propose, and the Council (the majority of which was composed of the said Hastings, and Richard Barwell Esquire, brother to Daniel Octavus Barwell aforesaid) did approve of the appointment of the said Daniel Octavus Barwell, made by the said Middleton; and further resolved, "that the said Resident (Middleton) be authorised to offer the Company's guarantee for the observance of the treaty

" subsisting

" subsisting between the Vizier and Fyzoola Khan, provided it
" meets with the Vizier's concurrence." That the said Daniel
Octavus Barwell did report from Rumpore, to the Council at
Calcutta aforesaid, the good faith of the said Fyzoola Khan, and
that he the said Fyzoola Khan had preserved inviolate every ar-
ticle of the treaty of Llal Dang aforesaid; and, in fact, the said
Fyzoola Khan had preserved inviolate the treaty as aforesaid.

That the Vizier Asoph ul Dowlah did consent to the said
guarantee being renewed, on the condition that he should receive
the presents usually offered on such occasions. That the renewed
treaty and guarantee was presented to the said Fyzoola Khan, by
the said Daniel Octavus Barwell, with great and unusual
solemnity. That the said Fyzoola Khan did deliver to the said
Daniel Octavus Barwell, the present for the Vizier as aforesaid,
and accompany the said present with a lack of rupees, equal in
value to ten thousand pounds sterling, or some other large sum of
money, as a further gift to the said Vizier: That the said Fy-
zoola Khan did offer a like sum of one lack of rupees, equal in
value to ten thousand pounds sterling, or some other large sum of
money, to the said Daniel Octavus Barwell, as a gift or present
to the Company, on renewing the said treaty and guarantee: That
the said Daniel Octavus Barwell did not immediately accept the
money, but took a bond for the same, and communicated the
offer to the Board at Calcutta: That the said Warren Hastings
did propose, and the Board, constituted as last aforesaid, not-
withstanding the objections thereto, insisted upon and set forth
by Philip Francis Esquire, at that time a member of the said
Board, did agree to accept the same, and it was in fact ac-
cepted.

That the said Warren Hastings, first, in admitting, by his
conduct as aforesaid, that it was matter of doubt whether the
guarantee of the said United Company, pledged to the said Fy-
zoola Khan by the signature of Alexander Champion, as aforesaid,
was binding on the said United Company; secondly, in
consenting to the receipt of certain presents on behalf of the Vi-
zier, for the renewal of a treaty already binding and in force;
and, lastly, in agreeing to accept, and in fact accepting, on the
part of the Company, a sum of money for renewing the same, has
violated the faith of the Company, and degraded the English in
the eyes of India, by holding them forth as a nation which re-
fuses to acknowledge the undoubted rights of princes, or to main-
tain their own undoubted guarantees, without being moved thereto
by a valuable consideration: That in so doing the said Warren
Hastings has in fact broken the treaty which he professes to have
maintained, and has thereby violated the duties of the trust re-
posed in him.

That

That by the treaty of Llal Dang aforesaid the Nabob Fyzoola Khan did agree to retain in his service five thousand troops, and not a single man more; farther than with whomsoever the Vizier should make war, Fyzoola Khan did agree to send two or three thousand men, according to his ability, to join the forces of the Vizier; and that if the Vizier should march in person, Fyzoola Khan should himself accompany him with his troops.

That it was not stipulated by the said treaty what, and whether any proportion of the said troops should consist of cavalry.

That the Resident Middleton was impowered to guarantee, and did in fact guarantee, the treaty of Llal Dang aforesaid; but certain doubts having occurred to Fyzoola Khan respecting the guarantee of Middleton, the said Warren Hastings, in order to satisfy those doubts, did, in or about the month of May, in the year one thousand seven hundred and seventy-eight, propose to confirm, and did in fact confirm the said treaty and guarantee, as such Governor General as aforesaid.

That the said Warren Hastings, disregarding the pledge of his own private honour, thus superadded to the public guarantee, and in direct opposition as well to the obvious meaning and intent of the said treaty as to his the said Warren Hastings's opinion thereof, he the said Warren Hastings did, on or about the month of November, in the year one thousand seven hundred and eighty, without any reasonable cause given for the same, the said Vizier not being then at war, and a body of the cavalry of Fyzoola Khan having been voluntarily granted, and being then actually serving under a British officer, recommend to the Vizier to require from Fyzoola Khan the quota of troops stipulated by treaty to be furnished by the said Fyzoola Khan for his (the Vizier's) service, and did falsely set forth the same, contrary to the letter and spirit of the said treaty, to amount to five thousand horse.

That the said Warren Hastings did afterwards, viz. on or about the month of February, in the year one thousand seven hundred and eighty-one, desire the said Vizier to demand three thousand horse from the said Fyzoola Khan; and the Vizier did, in obedience to the desire of the said Warren Hastings, demand the same.

That the said Warren Hastings well knew at the time, as well of directing the first as of enforcing the last mentioned demand, that he the said Fyzoola Khan was not bound, by treaty or otherwise, to furnish the same, and that in fact the said Fyzoola Khan had not more than two thousand horse in his service; by which said acts herein last set forth, the said Warren Hastings did again break the guarantee of the Company to the said Fyzoola Khan given as aforesaid, and did excite the said Vizier to acts of violence, and breach of treaty against the said Fyzoola Khan.

That the said Warren Hastings did, in or about the month of June, in the year one thousand seven hundred and eighty-one, obtain for himself, from the Council at Calcutta, by his own casting voice, certain illegal powers, by which he the said Warren Hastings was, contrary to law, vested with the whole and entire authority of the Supreme Council, and authorised to proceed to the country of Oude, under pretence of meeting the Vizier, in order to regulate the Government of Oude, and the dependencies thereof.

That the said Warren Hastings did, on the nineteenth of September, one thousand seven hundred and eighty-one, at the fort of Chunar in the said province of Oude, make and execute a certain treaty, since known by the appellation of the treaty of Chunar, whereby, among other things, it was by the third article of the said treaty agreed between the said Warren Hastings and the said Vizier, that, as the said Fyzoola Khan had, by his breach of treaty, forfeited the protection of the English Government, and caused, by his continuance in his present independent state, great alarm and detriment to the said Vizier, he, the said Vizier, be permitted, when time shall suit, to resume the lands of him the said Fyzoola Khan, meaning the territories of Rumpore and Shawabad, and the districts and country depending thereon, and secured to the said Fyzoola Khan by the treaty of Llal Dang as aforesaid.

That at or about the time of executing the said last-mentioned treaty, the said Vizier did give, and the said Warren Hastings did receive, a large sum of money, amounting to one hundred thousand pounds sterling, or some other large sum of money, as a consideration to him, the said Warren Hastings, for executing the treaty of Chunar aforesaid.

That the said Warren Hastings, by making and executing the article aforesaid of the treaty last aforesaid, did corruptly and treacherously break the faith of the Company, by surrendering their guarantee, solemnly pledged to the said Fyzoola Khan for the preservation and security of the treaty of Llal Dang, as hereinbefore set forth to have been entered into.

That at or about the time of executing the said treaty of Chunar as aforesaid, the said Warren Hastings did, by a certain paper writing, communicated by him to the members of the Supreme Council at Calcutta, express his reasons and motives for entering into the said third article of the said treaty.

That the said Warren Hastings did in the said paper set forth and declare, that the conduct of Fyzoola Khan, in refusing the aid demanded, though not an absolute breach of treaty, was evasive and uncandid; that the demand was made for five thousand cavalry; that the engagement in the treaty was literally five thousand horse and foot; that Fyzoola Khan could not be ignorant

norant that they (meaning the East India Company, or the Supreme Council aforesaid) had no occasion for any succours of infantry from him, and that cavalry would be of the most essential service; that so scrupulous an attention to literal expression, when a more liberal interpretation would have been highly useful and acceptable to them (meaning the said Company, or Council), strongly marked the unfriendly disposition of the said Fyzoola Khan, and though it might not impeach his fidelity, it left him little claim to any exertions from them (meaning the said Company or Council), for the continuance of his jaghires; but that he, the said Warren Hastings, was of opinion, that neither the Vizier's or the Company's interests would be promoted by depriving the said Fyzoola Khan of his independency, that he had therefore reserved the execution of the said agreement (meaning the third article of the said treaty of Chunar) to an indefinite term; that their government (that is, the government of the said United Company) might always interpose to prevent any ill effects from it (that is, from the said third article of the said treaty of Chunar).

That the said Warren Hastings, soon after the conclusion of the said treaty of Chunar, and the declaration last aforesaid, viz. on or about the month of March, in the year one thousand seven hundred and eighty-two, did give instructions to the said Nathaniel Middleton to act in conformity to the aforesaid declaration, and to prevent the Vizier from resuming the jaghires of the said Fyzoola Khan as aforesaid.

That the said Warren Hastings was thus, on the one hand, by making and executing the treaty of Chunar, guilty of a breach of faith solemnly pledged to Fyzoola Khan by the guarantee of the treaty of Llal Dang, and, on the other hand, by his declaration and instructions respecting the same, was guilty of duplicity, evasion, and deceit to the Vizier; and thus, by disregarding all the principles upon which treaties between nations and powers ought to rest, did place the East India Company in such a situation, that it was impossible for the said Company to keep faith with the one party, without breaking with the other.

That afterwards, on or about the month of December, one thousand seven hundred and eighty-one, the said Warren Hastings did cause Sir Elijah Impey Knight, his Majesty's Chief Justice at Fort William in Bengal, to signify to the Resident, Middleton, that it was the desire of him the said Warren Hastings, that the said Middleton should demand a subsidy or sum of money from the said Fyzoola Khan—That the said Fyzoola Khan was not bound, by treaty or otherwise, to pay any subsidy: That the said Impey did signify the said demand for a subsidy to Middleton

as aforesaid ; and the said Middleton did demand the same from the said Fyzoola Khan.

That afterwards, viz. on divers days and times in the months of February, March, and April, one thousand seven hundred and eighty-two, the said Middleton did propose to exact and require from the said Fyzoola Khan the cession of his jaghire aforesaid, pursuant to the treaty of Chunar, contrary as well to the treaty of Llal Dang, guaranteed by the Company as aforesaid, as to the declared intention and instructions of the said Warren Hastings as aforesaid ; and the said jaghire was in fact demanded to be ceded by the said Middleton.

That the said Warren Hastings did, not only by entering into the third article of the treaty of Chunar aforesaid, render the said Fyzoola Khan liable to such contradictory demands, to the great disquietude and injury of the said Fyzoola Khan, and disgrace of the British name, but did not then, nor has he since, disapproved of the said Middleton for his conduct therein.

That the said Warren Hastings did, on the sixth of May, one thousand seven hundred and eighty-two, by a private commission and appointment, and of his private authority, nominate William Palmer Esquire, a major in the service of the United Company aforesaid, a confidential friend of the said Warren Hastings, to repair to Rumpore aforesaid, with powers to act with the said Fyzoola Khan as private agent of the said Hastings.—That the said Palmer was, by the said Warren Hastings, charged with secret instructions respecting the affairs of the said Fyzoola Khan, verbally communicated by the said Warren Hastings to the said Palmer : That by such criminal concealment, and secret appointment, the said Warren Hastings acted contrary to the duties of his station.

That on or about the month of August, one thousand seven hundred and eighty-two, the said Middleton did demand from the said Fyzoola Khan a force to be made stationary at Lucknow, in the province of Oude, to the furnishing of which, or any other stationary force, the said Fyzoola Khan was not bound, by treaty or otherwise.

That the said Warren Hastings, having removed the said Middleton from the residence of Lucknow, in the province of Oude, as aforesaid, did, in the month of September, one thousand seven hundred and eighty-two, appoint John Bristow Esquire Resident in his place, with full power and authority to discharge the duties of the same.

That the said Bristow did, soon after his appointment, endeavour to procure, through a certain person called Aliff Khan, Vakeel or Ambassador of Fyzoola Khan to the Court of Lucknow, a pecuniary aid from the said Fyzoola Khan, which he the said

said Fyzoola Khan was not bound to supply, by treaty or otherwise.

That the said Bristow did, soon after his appointment as aforesaid, with the approbation of the said Warren Hastings, publicly depute the said Palmer to go to Rumpore aforesaid, for the purpose of carrying into execution the unjust and arbitrary plans of the said Warren Hastings respecting the said Fyzoola Khan.

That the said Palmer, being particularly directed by the said Warren Hastings and Bristow, did, soon after his appointment last aforesaid, endeavour to obtain from the said Fyzoola Khan a supply of money, which the said Warren Hastings acknowledged and declared, at the very time he required the demand to be made, that he the said Fyzoola Khan was not bound, by treaty or otherwise, to supply.

That the said Warren Hastings did, in case of a refusal of such supply, command the said Palmer to demand and fix the number of horse which he the said Fyzoola Khan should furnish, and did ascertain the rate or number to be two thousand five hundred; that the said Fyzoola Khan was not bound, by treaty or otherwise, to furnish such a number of horse; and he, the said Warren Hastings, well knew, at the time he gave such orders, that the said Fyzoola Khan had not such a number of horse in his service.

That the said Warren Hastings did, on or about the time last aforesaid, instruct and command the said Palmer to demand from the said Fyzoola Khan an annual tribute, or a sum of money from the said Fyzoola Khan, in compensation for the service of certain ryots, or persons employed in the cultivation of the ground of the Vizier, to whom the said Warren Hastings asserted, that the said Fyzoola Khan had given protection and service, and to demand the surrender of the said ryots; that in fact the said Fyzoola Khan had not at any time given protection or service to such ryots as aforesaid.

That the said Palmer, under the authority aforesaid, did, on or about the month of February, one thousand seven hundred and eighty-three, exact from the said Fyzoola Khan a promise to pay a large sum of money, amounting to fifteen lacks of rupees, equal in value to one hundred and fifty thousand pounds sterling, and upwards, or some other large sum of money, although the said Fyzoola Khan was not bound, by treaty or otherwise, to the payment of that or any other sum.

That the said exaction was made under the pretence of settling certain doubts between the said Vizier and the said Fyzoola Khan, respecting the troops with which he, the said Fyzoola Khan, was bound to supply the said Vizier—Which doubts were created

created and raised by the faithless conduct of the said Warren Hastings, herein before set forth.

That it was particularly stipulated between the said Palmer and the said Fyzoola Khan, that the said sum of money was to be paid by certain fixed periodical payments.

That the said Warren Hastings, not regarding this last mentioned stipulation, thus solemnly entered into by the said Palmer, under the authority of him the said Hastings, did, in or about the month of April, one thousand seven hundred and eighty-four, require the said Fyzoola Khan to pay the whole amount that then remained due, and the said Fyzoola Khan did in fact pay the same.

By all which acts and deeds, herein-before set forth to have been done and perpetrated by the said Warren Hastings, whilst President and Governor General, he the said Warren Hastings did, by a violation of the most sacred ties of honour and conscience, scandalously betray his trust; whereby a solemn treaty and guarantee was broken, the mind and government of the Nabob Fyzoola Khan alarmed and distressed, and his treasure unjustly extorted; the honour of the British nation (renowned for a faithful adherence to engagements) basely prostituted and degraded; and the English power in India fundamentally shaken: And therefore the said Warren Hastings, by all and every one of the said acts, was, and is, guilty of high crimes and misdemeanors.

A R T I C L E S I X T H,

THAT great extortion and corruption had been practised by the servants of the East India Company, under the pretence of receiving presents from the Indian princes or powers, their ministers and agents, or others.

That the receiving such presents is illegal and criminal; injurious to the interests of the natives of India; destructive of the welfare of the Company, and dishonourable to the English nation.

That the East India Company had endeavoured to restrain such practice, by obliging the servants (as well those who were invested with the higher offices, as those in a more subordinate situation) to enter into covenants, obliging themselves not to receive presents as aforesaid.

That

That the said Warren Hastings did in fact enter into such covenants.

That the British Legislature did, by an act of the thirteenth year of the reign of his present Majesty, strictly prohibit the receiving presents by the servants of the East India Company, on any pretence or account whatsoever.

That a great salary, amounting to twenty-five thousand pounds a year, and other great and considerable emoluments, were provided for the office of President and Governor General, as well by the East India Company, as by the Act of Parliament aforesaid: And that the said Warren Hastings did in fact receive the said salary, and enjoy the said emoluments.

That the said Warren Hastings did well understand the receipt of such presents to be prohibited, illegal, and criminal:

Yet the said Warren Hastings, not contented with the large profit and gain to him arising from the salary and emoluments annexed to the said office of President and Governor General, did on divers days and times, both before and since the passing of the Act of Parliament above mentioned, and whilst he continued such President and Governor General as aforesaid, corruptly, illegally, and criminally, take and accept of divers large sums of money, as presents, gifts, donations, gratuities, or rewards, in violation of the duties of his office, in defiance of the Act of Parliament above mentioned, and in direct contradiction to his understanding respecting the same:

Particularly, that some time in the year one thousand seven hundred and eighty-three, at Calcutta, in Bengal, the said Warren Hastings did first fraudulently solicit as a loan, and afterwards corruptly and illegally take and retain as a present or gift, from a certain person called Raja Nobkiffin, a sum of money, amounting to thirty-four thousand pounds sterling, or some other large sum of money.

That the said Warren Hastings did, without any allowance or permission then or since had or obtained from the Directors of the East India Company, or any person or persons authorized or empowered to grant such allowance or permission, apply the same to his own use, under pretence of discharging certain expences said to be incurred by him the said Warren Hastings, in his public capacity, without any authority from the said Company to incur the same, and of which said expences the said Warren Hastings has not produced any sufficient voucher or account to the said Company.

That the said Warren Hastings did, on divers days and times, in the years one thousand seven hundred and eighty, and one thousand seven hundred and eighty-one, take and receive from divers persons, known and unknown, several large sums of money, amounting to two hundred thousand pounds sterling and

and upwards, or some other large sum of money, as gifts or presents to him the said Warren Hastings.

That the said Warren Hastings did, on or before the twenty-sixth day of June, in the year one thousand seven hundred and eighty, at Calcutta, in Bengal, corruptly and illegally receive and take from one Sadanund, the Buxey or Treasurer of Cheit Sing, Rajah of Benares, the sum of two lacks of rupees, equal in value to twenty thousand pounds sterling, or some other large sum of money, as a present and gift.

That the said Warren Hastings did, on or about the month of October, in the year one thousand seven hundred and eighty, take and receive from a certain person called Kelleram (since appointed by the said Warren Hastings, ruler of the province of Bahar), on behalf of himself the said Kelleram, and a certain person called Cullian Sing, a sum of money amounting to four lacks of rupees, equal in value to forty thousand pounds sterling, or some other large sum of money, or an obligation or security for the same. In consideration of which, the said Warren Hastings did, contrary to his duty, and to the great injury of the interests of the said East India Company, and the British nation, let certain lands, in the province of Bahar, in perpetuity to Kelleram and Cullian Sing, or one of them.

That Asoph ul Dowlah, Nabob of Oude, or Vizier of the empire, was, in the month of February, in the year one thousand seven hundred and eighty, and from that time until the period hereinafter next mentioned, in a state of great pecuniary distress and embarrassment; that the condition of the finances of the said Vizier was well known to the said Warren Hastings, as well at the time hereinbefore mentioned, as at the period hereinafter next set forth; and that the said Vizier was, at these times, greatly indebted to the East India Company.

That on or about the month of September, one thousand seven hundred and eighty-one, at Chunar, in the province of Oude, the said Warren Hastings did, contrary to his duty, and to the great distress and additional embarrassment of the said Vizier, take and receive, as a present or gift, from him the said Vizier, the sum of ten lacks of rupees, equal in value to one hundred thousand pounds sterling, or some other large sum of money.

That the said Warren Hastings did, some time in the year one thousand seven hundred and eighty-one, receive and take, as a present or gift, from a certain person called Nundoolol, the sum of fifty-eight thousand rupees, equal in value to five thousand pounds sterling and upwards, or some other large sum of money.

That the said Warren Hastings did, at different days and times between the first day of October, one thousand seven hundred and seventy-two, and the first day of February, one thousand

thousand seven hundred and seventy-four, corruptly, illegally, and arbitrarily extort and receive, by the means of Cantoo Baboo, his banyan or servant, and others, from a certain person called Maha Ranny Bowanee, Zemindar of Rad-shahy, divers sums of money, amounting to four lacks forty thousand and one rupees, equal in value to forty thousand pounds sterling and upwards, or some other large sum of money.

That the Supreme Council of Calcutta did, on divers days and times, in the year one thousand seven hundred and seventy-five, legally and regularly meet. That the said Warren Hastings was, at the times aforesaid, charged with the said last mentioned receipt of money, and with various unjustifiable transactions respecting the same. That the said receipts and transactions were regularly proved upon oath before the said Council. That the said Warren Hastings did neither at that time attempt to discredit the testimony so given against him, or to oppose the same by evidence, nor has he since taken any measure to clear himself from the said charge, or explain the nature of the said transaction.

That the said Warren Hastings did, at different days and times between the first day of October, in the year one thousand seven hundred and seventy-two, and the thirtieth day of September, in the year one thousand seven hundred and seventy-three, corruptly and illegally take, accept, and receive, from one Rajah Nuncomar, a native Hindoo, high in office in the country government in India, or from some other person or persons, divers sums of money, amounting together to three lacks fifty-four thousand one hundred and five rupees, being equal in value to forty thousand pounds sterling, or some other large sum of money, as a consideration or bribe for the disposal of, and appointment to, certain offices in the gift of him the said Warren Hastings, being such President as aforesaid; particularly, for procuring Rajah Goordas, son of the said Nuncomar, the appointment of Niabut or Head of the Finances of Bengal, and causing Munny Begum, widow of Meer Jaffier, heretofore Nabob of Bengal, to be Superior of the Family, meaning the family of Mobarick ul Dowlah, Nabob of Bengal, seventy-five thousand and four rupees, being equal in value to eight thousand pounds sterling and upwards, or some other large sum of money; and the further sums of twenty-four thousand nine hundred and ninety-eight rupees, three thousand one hundred and two rupees, and one thousand rupees, being together equal to three thousand pounds sterling and upwards, or some other large sum of money. Further, for constituting and appointing the said Munny Begum Superior of the Family of the said Nabob Mobarick ul Dowlah, and taking away the superiority thereof

thereof from Baboo Begum, mother of the said Nabob, one lack of rupees, being equal in value to ten thousand pounds sterling and upwards, or some other large sum of money. Further, from the said Munny Begum, by a payment to one Nurr Sing, brother of Cantoo Baboo, banyan or servant of the said Warren Hastings, at the desire of him the said Warren Hastings, one lack and fifty thousand rupees, equal in value to fifteen thousand pounds sterling and upwards, or some other large sum of money.

That the Court of Directors aforesaid did, by a letter bearing date the twenty-eighth day of August, one thousand seven hundred and seventy-one, inform the said Warren Hastings that they were fully sensible of the expediency of supporting some ostensible Minister in the Company's interest at the Nabob's Court (meaning the Court of Mobarick ul Dowlah aforesaid) to transact the political affairs of the Circar or Government, and they trusted to the local knowledge of him the said Warren Hastings the selection of some person well qualified for the affairs of government, to succeed Mahomed Reza Khan, as Minister of the Government, and Guardian of the Nabob's minority.

That the said Munny Begum had been originally in a low and degraded condition, without education, unacquainted with the affairs of Government, and then lived secluded in a Zenana, and retired from the world, whereby the said Munny Begum was totally unqualified for discharging the duties of Guardian to the said Nabob, and for governing his dominions; so that the said Warren Hastings, by the appointment of the said Munny Begum as aforesaid, not only acted corruptly and illegally in receiving the aforesaid sums of money, but added to the criminality thereof, by violating the express orders of the said Court of Directors, to the great and manifest prejudice of the rights and interest of the said United Company and this nation.

That the said Warren Hastings did, some time in the year one thousand seven hundred and seventy-three, grant to one Khan Jehan Cawn, the office of Phousdar, or Chief Criminal Magistrate of Hugly, in the province of Bahat, a place of great trust and profit.

That a salary of seventy-two thousand sicca rupees a year was annexed to the said office. That it was corruptly and illegally agreed between the said Khan Jehan Cawn, and the said Warren Hastings, that the said Khan Jehan Cawn should annually give the sum of thirty-six thousand rupees for himself the said Warren Hastings, and four thousand rupees for one Cantoo Baboo, his banyan or servant, out of the said sum of seventy-two thousand rupees settled on the office of Phousdar of Hugly as aforesaid; and that the said Warren Hastings did corruptly and illegally take,

take, receive, and accept as aforesaid the said sum of thirty-six thousand rupees for himself, and four thousand rupees to Cantoo Baboo, his banyan or servant, out of the said salary so annexed to the said office as aforesaid.

That the Supreme Council of Calcutta did, on the thirtieth of March, one thousand seven hundred and seventy-five, legally and regularly meet; that the majority of the said Council did charge the said Warren Hastings with the receipts aforesaid; that the said Warren Hastings did not reply to the charge so made against him, but did arbitrarily and illegally attempt to dissolve the said meeting of Council, regularly and legally met as aforesaid, and did on that day, and divers other days and times, illegally and violently attempt to prevent, and did prevent, the said Khan Jehan Cawn, and other persons, from giving their testimony on oath before the said Council respecting the transactions aforesaid, whereby the said Warren Hastings violated his duty as Governor General, and acted in defiance of the Act of Parliament aforesaid.—And further, the said Warren Hastings, whilst he continued President and Governor General as aforesaid, did illegally and corruptly make, ordain, and appoint divers other persons to divers other offices, for gift and brocage, and did corruptly, illegally, and extorsively, receive and accept from the said persons divers great sums of money, in consideration of their appointment to such offices, both before and after their admission thereto; and did at divers other days and times, without any such consideration, take and receive divers gifts, presents, donations, gratuities, and rewards.

By all, each, and every the receipt and receipts of money aforesaid, as well those for which he has accounted, or pretended to account, as those which he has concealed and kept secret, and all and each his actions, declarations, and writings respecting the same, he the said Warren Hastings has grossly violated the duties of his station; subverted good government; shewn an evil example to the servants of the East India Company; been guilty of corruption, peculation, and extortion; and acted in direct defiance of an Act of Parliament; and thereby was, and is, guilty of high crimes and misdemeanors.

And the said knights, citizens, and burgesses, by protestation, saving to themselves the liberty of exhibiting, at any time hereafter, any further articles or other accusation or impeachment against the said Warren Hastings Esquire; and also of replying to his Answers, which he shall make unto the said Articles or any of them, and of offering proof to all and every the aforesaid Articles, and to all and every other Articles of impeachment or accusation which shall be exhibited by them, as the case shall, according to the course of Parliament, require,

quire, do pray, that the said Warren Hastings Esquire may be put to answer the said crimes and misdemeanors ; and that such proceedings, examinations, trials, and judgments, may be thereupon had and given as is agreeable to law and justice.

ARTICLE SEVENTH.

WHEREAS the property of the lands in Bengal is, according to the laws and customs of that country, an inheritable property, or as such hath been generally held and reputed, and accordingly hath been charged with debts, and sold, and otherwise conveyed ; and the same is, with few exceptions, vested in certain natives called Zemindars or Landholders, under whom other natives, called Talaakdars or Ryots, hold certain subordinate rights of property or occupancy in the said lands : And whereas the said natives are Hindoos, whose rights and privileges are grounded upon the possession of regular grants, a long series of family succession, and fair purchase : And whereas it appears that Bengal has been under the dominion of the Mogul, and subject to a Mahomedan Government for above two hundred years :

And whereas while the Mogul Government was in its vigour, the property of the Zemindars was held sacred, and either by voluntary grant from the said Mogul, or by composition with him, the native Hindoos were left in the free, quiet, and undisturbed possession of their lands, on the single condition of paying a moderate and certain revenue, or quit-rent, to the Mogul Government, called the aussil jumma, or original ground-rent of the provinces, which had not been materially altered from the time when it was first settled, in the year one thousand five hundred and seventy-three, to the year one thousand seven hundred and forty, when the regular and effective Mogul Government ended :

And whereas, from the last-mentioned period to the year one thousand seven hundred and sixty-five, invasions, usurpations, and various revolutions took place in the Government of Bengal, in consequence of which the country was considerably reduced and impoverished ; at which time, that is to say, in the said year one thousand seven hundred and sixty-five, the East India Company

received

received from the present Mogul Emperor, Sha Alum, a grant of the Dewanny, or collection of the revenues :

And whereas, about the year one thousand seven hundred and seventy, the provinces of Bengal and Bahar were visited with a dreadful famine and mortality, by which at least one third of the inhabitants generally, and in many places near one half of the whole inhabitants, perished, a loss which could not, by any probable or almost possible means, be recruited in four or five years ; yet nevertheless the revenue was violently kept up to its former standard, that is, in the two years immediately preceding the appointment of the said Warren Hastings to the Government of Fort William, in consequence of which the remaining two-thirds, and in many places a still smaller proportion of the inhabitants, were obliged to pay for the lands then left without cultivation ; and the country did accordingly languish from the year one thousand seven hundred and seventy, to the year one thousand seven hundred and seventy-five, and the evil continued increasing every day :

And whereas the said Warren Hastings well knew that the lands had suffered unheard-of depopulation by the famine and mortality aforesaid, and that collections violently kept up to their former standard, in the two years immediately preceding the appointment of him the said Warren Hastings to the Government of Fort William, had added to the distress of the country, and threatened a general decay of the revenue, unless immediate remedies were applied to prevent it : And whereas it became the bounden duty of the said Warren Hastings, when appointed to the Government of Fort William, to apply such immediate remedies as were within his judgment and his power : And whereas the said Warren Hastings well knew, and was satisfied in his judgment, that by intrusting the collections to the hereditary Zemindars, the people would be treated with more tenderness, the rents more improved, and cultivation more likely to be encouraged, as he the said Warren Hastings well knew that the said Zemindars have a perpetual interest in the country ; that their inheritance could not be taken from them ; that *they* are the proprietors ; that the lands are *their* estates, and *their* inheritance ; that from a long continuance of the lands in their families, it was to be concluded that they had rivetted an authority in the districts, acquired an ascendancy over the minds of the Ryots, and conciliated their affections : And whereas it was reasonable therefore to expect, and the said Warren Hastings was of opinion, that solid advantages might be expected from continuing the lands under the management of those who have a natural and perpetual interest in their prosperity ; that the Zemindar would be less liable to failure or deficiencies than the Farmer, from the perpetual interest which the former (the Zemindar) hath in the country, and because his inheritance cannot be taken

from

from him, and it would be improbable that he should risk the loss of it by eloping from his district, which the said Warren Hastings well knew to have been too frequently practised by a farmer, when hard pressed for the payment of his balances, and as frequently pre-determined when he received his farm.

That the said Warren Hastings, well knowing the premises, especially the calamitous and distressful state of the country, from the famine and mortality aforesaid; and being well convinced in his own judgment that the calamities and distresses were aggravated by the collections being violently kept up to the standard at which they were fixed before the said famine: Yet, being President of the Presidency of Fort William in Bengal in the year one thousand seven hundred and seventy-two, in violation of his duty to the Company, his masters, and to the prevention of solid advantages to them, and with danger of great loss foreseen by himself, and in contempt and disregard of property, title, and right, all acknowledged by himself to be in the Zemindars, and to the subversion of true policy, according to his own sense of that policy, and with a total neglect of tenderness and humanity to the distresses and calamities of the inhabitants, he the said Warren Hastings, immediately after his appointment to the Government of Fort William aforesaid, did make an arbitrary settlement of the revenues for five years, at a higher rate than had ever been received before, and with a progressive and accumulating increase on each of the four last years of the said settlement.

That, to accomplish this iniquitous purpose, he the said Warren Hastings did put the lands of Bengal up to a pretended public auction, and invited all persons to make proposals for farming the same, thereby encouraging strangers to bid against the proprietors; in consequence of which not only the said proprietors were ousted of the possession of their estates, but a great part fell into the hands of the banyans, or principal black servants, of British subjects, connected with, and protected by the Government; and this measure was thus executed, though the said Warren Hastings must have foreseen it would happen, as he has since declared it did happen, that by this way the lands too generally fell into the hands of desperate or knavish adventurers.

That, instead of offering any abatement to the inhabitants who had survived the famine, the policy of which seemed as strongly implied as the humanity was undoubted, by the declaration of the said Warren Hastings, that the collections kept up to the former standard had added to the distress of the country, the settlement made by the said Warren Hastings, if it had been, or could have been, rigorously exacted from a country already so distressed, and from a population so impaired as that, in the opinion of the said Warren Hastings, it could not have been recruited

eruted in less than four or five years, would have been in fact what it appeared in form, most cruel and tyrannical oppression. But this settlement, far from being realized, fell considerably short, even in the first of the five years, in which the demand was lightest, and on the whole of the five years the real receipts fell short of the settlement, by a sum so enormous as to exceed two millions and an half sterling ; and therefore the only use for which a settlement, evidently impossible to be realized, could be intended, or to which it could be converted, was the means thereby afforded for obliging the native inhabitants to compound with those who made the said settlement, and were possessed of authority to enforce it. And the said East India Company were grossly imposed upon in the first instance, by a promised increase of revenue, and defrauded in the second, not only by the failure of that increase, but by the revenues falling short to a great amount of what they were in the two years preceding the said settlement.

That the said Warren Hastings, being then at the head of the Government of Bengal, was a party to all the said imposition and fraud, and to all the peculation and embezzlement which might or did arise therefrom, and is principally and specially answerable for the same ; and the more especially so, as though the Court of Directors of the East India Company, on sundry proofs of peculation and embezzlement being laid before them, to which the arbitrary and violent settlement aforesaid had given occasion, did positively direct a prosecution against the persons who composed the Committee of Circuit, and against all other proper parties ; yet such prosecution was never carried on to trial, but, on the contrary, was wholly frustrated and relinquished by the said Warren Hastings, who proposed and carried it in Council, that orders should be given for withdrawing the said prosecution ; he the said Warren Hastings declaring, that he was clearly of opinion that there was no ground to maintain them, and that they would only be productive of expence to the Company, and unmerited vexation to the parties.

That previous to the measure before described being carried into execution, the said Warren Hastings did establish certain fundamental regulations in Council, to be observed in executing the same ; amongst which regulations it was specially and strictly ordered, that no farm should exceed the annual amount of one lack of rupees. And further, that no peshcar, banyan, or other servant, of whatever denomination, of the collector, or relation, or dependant of any such servant, should be allowed to farm lands, nor directly nor indirectly to hold a concern in any farm, nor to be security for any farmer.

That in direct violation of these his own regulations, and in breach of the public trust reposed in him, and sufficiently declared

by

by the manifest duty of his station, if it had not been expressed and enforced by any positive institution, he the said Warren Hastings did permit and suffer his own banyan, or principal black steward, named Canto Baboo, to hold farms in different purgannahs or districts, or to be security for farms, to the amount of thirteen lacks of rupees, of the value of one hundred and thirty thousand pounds, or upwards, per annum; and after enjoying the whole of these farms for two years, he the said Canto Baboo was permitted by the said Warren Hastings to relinquish two of them.

That in the whole of the transaction aforesaid the said Warren Hastings has been guilty of manifest breach of trust to his employers, and gross collusion with his servant, permitting him to hold or be security for farms, against the spirit of his own regulation, as the said Canto Baboo was the banyan or steward of him the said Warren Hastings; and has been also guilty of acting against the letter as well as spirit of that regulation, inasmuch as the said farms, or securities for farms, amounted to a sum enormously greater than that limited by the regulation—the regulation confining each farm to one lack of rupees. And he was also guilty of a fraud against the East India Company, by permitting him, the said Canto Baboo, to relinquish the security which he had given for the payment of the rent of certain of the said farms at the expiration of two years, during which two years the rent was lowest, without satisfaction made to the Company; to the great loss of the said Company, the masters and employers of the said Warren Hastings.

And whereas the said Warren Hastings well knew, and was deliberately of opinion, that great expence and inconvenience do always attend upon innovations, and more especially he the said Warren Hastings was well aware of the expences and many inconveniencies attendant on innovations in the management and collection of the revenue of Bengal; that such innovations caused a suspension of the collections; and that continual variations in the mode of collecting the revenue, and the continual usurpations on the rights of the people, had fixed in the minds of the ryots a rooted distrust of the ordinances of Government: And whereas the said Warren Hastings was well and fully apprized, that the Directors of the East India Company were of opinion, that a sudden transition from one mode to another, in the investigation and collection of their revenue, might have alarmed the inhabitants, lessened their confidence in the Company's proceedings, and been attended with other evils: And whereas it has been always found by experience, that such innovations in the ordering and management of the territorial revenues in Bengal have been the source of much fraud and peculation in the public revenue, and of vexation and oppression to the people, yet the said Warren Hastings,

Hastings, in contradiction to his own conviction and judgment, and against his own declared opinion, and in contempt and neglect of the opinion of the said Directors, did wantonly and corruptly, from the commencement of his Government, in the year one thousand seven hundred and seventy-two, to the year one thousand seven hundred and eighty-one, as President and Governor General as aforesaid, introduce and carry into execution, without reason or necessity, many different measures or changes in the mode of settlement, collection, and management of the territorial revenues of Bengal, all arbitrary and inconsistent with each other, and in most cases standing in direct contradiction to, and subversive of some other measure of the said Warren Hastings, as well as repugnant to his declared opinions and professed principles.

That, in particular, the said Warren Hastings, immediately after his appointment to the Government of Fort William, in April, one thousand seven hundred and seventy-two, did abolish the office of Naib Duan, or native collector of the revenues then existing; that he did at the same time appoint a Committee of the Board to go on a circuit through the provinces, and to form a settlement of the revenues for five years; that he did next appoint sundry of the Company's servants to have the management of the collections, by fixing one of the said servants in each district, under the title of Collector; that he the said Warren Hastings did afterwards abolish the General Board of Revenue, or Council at Muxadavad, assigning as his reasons for such abolition, "That while the controlling and executive part of the revenue, and the correspondence with the collectors, was carried on by a Council at Muxadavad, the Members of the Administration at Calcutta had no opportunity of acquiring that thorough and comprehensive knowledge, which could only result from practical experience;" and because "the orders of the Court of Directors, which established a new system, which enjoined many new regulations and inquiries, could not properly be delegated to a subordinate Council; and it became absolutely necessary that the business of the revenue should be conducted under the immediate observation and direction of the Board."

That in November, one thousand seven hundred and seventy-three, the said Warren Hastings did abolish the office of collector, and transferred the collection and management of the revenues to several councils of revenue, commonly called Provincial Councils; and did, on the twenty-fourth of October, one thousand seven hundred and seventy-four, earnestly offer his advice (to the Governor General and Council, then newly appointed by Act of Parliament) for the continuation of the said system of Provincial Councils in all its parts.—That the said Warren Hastings, in

further support and recommendation of the said system, did, on the twenty-second of April, one thousand seven hundred and seventy-five, transmit to the Court of Directors a formal plan for the future settlement of the revenues, and did therein declare that, with respect to the mode of managing the collection of the revenue, and the administration of justice, none occurred to him so good as the system which was already established, of Provincial Councils.—That, to give yet further credit and support to the said system, he, the said Warren Hastings, on the eighteenth of January, one thousand seven hundred and seventy-six, did transmit to the Court of Directors another plan for the better administration of justice; in which plan also the establishment of the said Provincial Councils was again specially provided for and confirmed; and the said Warren Hastings did recommend it to the Directors to obtain the sanction of Parliament for a confirmation of the said plan.—That, even yet further to support and give permanence to the said system, the said Warren Hastings, on the thirtieth of April, one thousand seven hundred and seventy-six, did transmit to the said Court of Directors the draught or scheme of an act of Parliament for the better administration of justice in the provinces, in which the said establishment of Provincial Councils is again specially included, and special jurisdiction assigned to the said Councils.

That while the said Warren Hastings suffered this system of Provincial Councils to subsist, and thus repeatedly and urgently recommended the continuation thereof in all its parts to the Court of Directors, and repeatedly advised the said Directors to obtain the sanction of Parliament for its continuance and confirmation, he the said Warren Hastings did invade, alter, and violate the principles on which it was professedly founded, by arbitrarily and corruptly detaching sundry separate collectorships from the general province of each Council, for the corrupt purpose of providing lucrative places for persons favoured by him, to the great loss and detriment of the East India Company, who were thus loaded with the expence of the whole establishment of the said Councils, and with the further expence of new establishments for the same duties and services, under the name of separate collectors.—That the said Warren Hastings well knew that none of these his acts were necessary or useful to the public service, but were in every instance a corrupt abuse of the power, and a breach of the trust reposed in him, for the service and gratification of some individual, as well as a partial invasion of that system which he had so repeatedly recommended; all which corruption, breach of trust, and misgovernment, he the said Warren Hastings did substantially avow, by declaring in Council, on the nineteenth of January, one thousand seven hundred and seventy-nine, that the present state

of the Government was such as required temporary expedients, and the union of private interests with the public. That the said Warren Hastings did not produce any fact or argument whatsoever, to shew the state of the Government to be such as he had described it, in that scandalous and criminal justification of his criminal actions; but if the state of the Government were really such as to require temporary expedients, and a sacrifice of the public to private interests, the said Warren Hastings had criminally reduced it to that state, he having, for the two preceding years, possessed the absolute and uncontrolled power of Government, by virtue of his casting voice in Council.

That the Court of Directors did send orders to the Governor General and Council, dated the fifth of February, one thousand seven hundred and seventy-seven, in the words or to the effect following: " If you are fully convinced that the establishment of Provincial Councils has not answered, or is not capable of answering, the purposes intended by such institutions, we hereby direct you to form a new plan for the collection of the revenues, and to transmit the same to us for our consideration."

That, very early in the year one thousand seven hundred and eighty-one, and within two months after the departure of Philip Francis Esquire, by whose departure the Council General was reduced to two persons, he the said Warren Hastings, in contradiction to his own sentiments, repeatedly declared, and to his own advice repeatedly and deliberately given, and in wilful disobedience to the orders of the Court of Directors, to whom he did not transmit any plan for their consideration, did, on sundry false and contradictory pretences, and for his own corrupt purposes, again change the whole system of the collections of the public revenue of Bengal, as also the administration of civil and criminal justice throughout the provinces, by abolishing, and the said Warren Hastings did corruptly abolish, the said Provincial Councils before the yearly collection was finished; and the said Warren Hastings did endeavour, contrary to his duty, to deceive the Court of Directors, by assigning false reasons for abolishing the said Councils; and so to deceive the said Court, he the said Warren Hastings did, in a letter to the said Court, dated the fifth of May, one thousand seven hundred and eighty-one, affirm, that the plan of superintending and collecting the public revenue of the provinces, through the agency of Provincial Councils, had been instituted for the temporary and declared purpose of introducing another more permanent mode by an easy and gradual change; such affirmation being in direct contradiction to his repeatedly declared sense, in the course of eight years, of the wisdom of that institution, of the necessity of never departing from it, and of his repeated

advice that it might be made perpetual by Act of Parliament.— Nor was the abolition of the said Councils introduced by any easy and gradual change, or by any gradations whatever, as the said Warren Hastings had falsely affirmed, in his letter of the fifth of May, one thousand seven hundred and eighty-one, to have been always intended, but was sudden and unprepared, and instantly accomplished by a single act of power of him the said Warren Hastings, and before the yearly collection was finished.

That he the said Warren Hastings, having arbitrarily and corruptly abolished the said Councils, did substitute in their place a Committee of Revenue, consisting of four persons appointed by himself, on principles opposite to those which he had himself professed, and with exclusive powers, tending to deprive the members of the Supreme Council of a due knowledge of and inspection into the management of the territorial revenues vested by the Legislature in the Governor General and Council, and in effect to vest the same solely and entirely in the said Warren Hastings; though the said Warren Hastings had before assigned the necessity of such knowledge, and of the immediate observation and direction of the General Council at Calcutta, as a reason for abolishing the General Board of Revenue at Muxadavad; and he the said Warren Hastings did also appoint a native of an infamous character, generally distrusted, hated, and feared in the province, and whom the said Warren Hastings knew to be of such ill character, called Gunga Govin Sing, to be Duan to the said Committee, an office of great power and trust, and of such a nature, that the Committee aforesaid must chiefly rely upon the integrity and fidelity of the person who fills it, for the due execution of their functions in collecting the revenue, and preserving the subjects from oppression.— That he the said Warren Hastings did invest the said Committee of four persons, in the fullest manner, with all the powers and authority of the Governor General and Council, and thereby took the general management and cognizance of the revenue out of the Supreme Council, and deprived the members thereof of the means of acquiring such knowledge of the state of the revenue business, as might enable them to execute the proper duty of their office, or any knowledge thereof whatsoever, without great difficulty and discouragement.— That the said Warren Hastings, by thus delegating the powers of the Supreme Council to a Board consisting of persons appointed by himself, or any other Board, acted in direct disobedience to the lawful orders of the Court of Directors, his masters and employers, and in open contempt and defiance of an Act of Parliament of the thirteenth year of his present Majesty,

That

That immediately after the death of the late Colonel George Monson, in September, one thousand seven hundred and seventy-six, by which the number of the Governor General and Council was reduced to four persons, and continued so until April, one thousand seven hundred and seventy-nine, the said Warren Hastings, for the pretended purpose of obtaining accurate states of the real value of the lands, as the grounds on which a new settlement of the provinces was to be constructed, but in reality, and in breach of his trust and duty, to draw into his own hands the sole ordering, management, and government of the territorial acquisitions and revenues, did depute into all parts of the provinces a great number of native officers, under the title of Aumeens, appointed by, and accountable to himself only, and armed with powers of a dangerous, arbitrary, and tyrannical nature, to enquire into the circumstances, rents, and profits of every man's estate, and to compel a discovery thereof, by arresting and punishing those who should dare to oppose or disobey what was styled by the said Warren Hastings, the orders of Government.—That the pretended purpose aforesaid was the more manifestly false, because the said Warren Hastings had, upwards of a year before this appointment of Aumeens, informed the Court of Directors, by a plan dated the twenty-second of April, one thousand seven hundred and seventy-five, that the ascertaining the value of the several districts had been sufficiently accomplished: And the falsehood of the said pretended purpose is still more evident, because the said Warren Hastings well knew, and was perfectly convinced in his own judgment and opinion, that there was not any trust to be put in the accounts delivered in by the Aumeens; and that no dependance could be placed on that mode of enquiry, as he knew that Aumeens were not to be trusted.

That, supposing an actual valuation of all the landed property of Bengal to be at any time a just or necessary measure, and that it had not been, as the said Warren Hastings declared it had been, sufficiently accomplished, yet, when he assumed the power of appointing, and did actually nominate and appoint, the persons who were to execute such a measure, and invested them with an arbitrary and universal power of investigation, coercion, and punishment, which gave them all means of fraud, vexation, and cruelty, it was more peculiarly and indispensably necessary, and the bounden duty of the said Warren Hastings to appoint none but men of the best, or at least of irreproachable and unsuspected characters, to an office of such exorbitant power and authority; notwithstanding which, and in neglect of such his bounden duty, and to the scandal of Government, to the encouragement of all misbehaviour and misconduct in office, he the said Warren Hastings did nominate and actually appoint to the

principal superintendance of this business, a person called Gunga Govin Sing, whom the said Warren Hastings knew to be a person of infamous character, and to be loaded with general reproaches as aforesaid, and who had been before dismissed, for misconduct, from an office which he held in the revenue department.

That the said Warren Hastings well knew, and was satisfied in his judgment, that granting long leases of the lands was more for the interest of the East India Company, as well as more conducive to the ease of the inhabitants, than the mode of annual settlements; and has declared, amongst many other reasons and arguments, that the farmer, who holds his farm for one year only, having no interest in the next, takes what he can with the hand of rigour; which, even in the execution of legal claims, is often equivalent to violence; that such farmer is under the necessity of being rigid, and even cruel; that he will be tempted to exceed the bounds of right, and to augment his income by irregular exactions, and by racking the tenants; and that the discouragement, which tenants feel from being transferred every year to new landlords, contributes to injure the cultivation and dispeople the lands: Notwithstanding which, and in neglect of his duty to, and in disregard to the interest of the East India Company, and the ease and welfare of the inhabitants, as well as in manifest contradiction to all his own professions and declarations on the subject, he the said Warren Hastings did approve of the report of the Committee of Revenue, which he had appointed in the year one thousand seven hundred and eighty-one, and to whose discretion he had left it to fix the term for which the ensuing settlement should be made; which Committee declared, that, with respect to the period of the leases in general, to limit them to one year would be the best period.

That, in thus approving the said recommended settlement, he the said Warren Hastings did not hold himself bound or restrained by the orders of the Court of Directors, but acted upon his own discretion; and did again exercise that discretion, in particular instances, and for partial, interested, and corrupt purposes, against his approved general settlement for one year, by granting perpetual leases: And he the said Warren Hastings did, for such partial, interested, and corrupt purposes, grant perpetual leases of farms and Zemindaries to persons specially favoured by him; and particularly he the said Warren Hastings so granted a perpetual lease of the Zemindary of Baharbund to Canto Baboo, on very low terms; which said Canto Baboo was then banyan or steward to the said Warren Hastings.

That in all these transactions the said Warren Hastings, first as President of the Presidency of Fort William, and afterwards as Governor General, has corruptly and wilfully proceeded, in violation

violation of his duty to the East India Company, his masters and employers; in disobedience to their orders, to the great loss and damage in their revenues; in defiance and contempt of an Act of Parliament; to the vexation, oppression, and destruction of the inhabitants of Bengal; in contradiction and perversion of his own declared sense of duty and true policy; and to the great scandal and reproach of the British government in India: And that in all and each of the said transactions, the said Warren Hastings was, and is, guilty of high crimes and misdemeanors.

And the said knights, citizens, and burgesses, by protestation, saving to themselves the liberty of exhibiting, at any time hereafter, any further articles or other accusation or impeachment against the said Warren Hastings Esquire; and also of replying to his Answers, which he shall make unto the said Articles, or any of them, and of offering proof to the aforesaid Article, and to all and every other Articles of impeachment or accusation which shall be exhibited by them, as the case shall, according to the course of Parliament, require, do pray, that the said Warren Hastings Esquire may be put to answer the said crimes and misdemeanors; and that such proceedings, examinations, trials, and judgments may be thereupon had and given as is agreeable to law and justice.

ARTICLE EIGHTH.

WHEREAS a certain territory in India, known by the name of the Subah of Oude, was, on or about the year one thousand seven hundred and sixty-four, governed by a native Mahometan prince or viceroy, a great chief of the Mogul empire, and Vizier thereof, called the Nabob Vizier Sujah ul Dowlah, which Sujah ul Dowlah having been defeated in battle, and expelled from his dominions, by the arms of the East India Company; and being afterwards, by those acting under that Company, restored to his government, did, on or about the year one thousand seven hundred and seventy-three, enter into a treaty with the East India Company, commonly called the treaty of Benares, by which the said Company did, under certain conditions and stipulations, and for a certain annual subsidy in the said treaty expressed, agree to maintain a body of British troops for the defence of his territories; and the said Vizier Sujah ul Dowlah

lah did, by the assistance of the East India Company's forces, as also in consideration of money to them paid, or to be paid, obtain several large accessions to his dominions, namely, the territories of Rohilcund, the Duab Corah Khorrah, and Al-lahabad :

And whereas the said Sujah ul Dowlah, in or about the month of February, one thousand seven hundred and seventy-five, died possessed of the territories aforesaid; and his son, Asoph ul Dowlah, did succeed to the same, and, by the influence of the East India Company on the Mogul Emperor, obtained a grant of the dignity and authority of Vizier, which his father had possessed; and the said Asoph ul Dowlah having been chiefly supported in the succession, and established in the dignity aforesaid, by the power and influence of the said East India Company, and, from the internal and external circumstances of his country, finding such assistance as had formerly been given to his father by the said Company become absolutely necessary, did, on the twenty-first of May, one thousand seven hundred and seventy-five, make a new treaty with the East India Company, for the support, on certain conditions, and the payment of a certain subsidy, of a brigade of their troops to be employed in his defence, and did afterwards consent to take other large bodies of troops belonging to the said Company into his pay :

And whereas the said Asoph ul Dowlah did very soon become, in his own estimation, and in that of the neighbouring potentates, as well as in the opinion of the British Government of Bengal, a dependant on the East India Company, as in truth and in fact he substantially was; and the English name and character were reputed to be, and were concerned in every act of his government, and the influence and power of the Governor General and Council of Fort William were immediately or meditately sufficient to all acts of authority within the said province of Oude, and its dependencies, and were, in fact, both meditately and immediately employed for the same; and the Governor General and Council were bound by their duty, and by the regard which they ought to have had to the honour of the English name, to provide for the good order and prosperity of the provinces, from whence this nation did derive eminent advantages, and to take proper measures that the troops kept up as aforesaid should not, by their excessive number, their ill composition, their ill distribution, their ill discipline, or their ill economy, become a grievance to the country they were intended to protect; and it was the bounden duty of the said Governor General and Council to take care that the ease, security, and honour of the Prince and his family should be consulted and provided for; and it was contrary to the clear duty of the said Governor General and Council, and of any or all of them, in any wise

wise to countenance or suffer, much more to authorize and direct, any acts of oppression or peculation within the said Provinces :

And whereas the said province of Oude was, at the beginning of the British interference therein, in a flourishing condition with regard to culture, commerce, and population, and the territories added to that province by the British power were particularly and eminently distinguished for their high cultivation, and their consequent opulence ; and the said Company's Government was particularly bound to the protection and good government of countries which by them were taken from their original rulers, and given over to the charge of another authority dependant on the said Company : But the said countries did, from the time in which they ought to have profited by the said protection, most rapidly decline, and did fall into a most miserable state of decay, indigence, waste, and depopulation : And this ill state of things was, in a great measure, owing to the criminal acts and criminal neglects of Warren Hastings Esquire, late Governor General of Bengal, and his agents—for he the said Warren Hastings, entertaining base and corrupt views of profit to himself, and to the evil instruments of his power, from the wealth of those provinces, from the good administration of which he ought to have looked for honour to himself and to his country, did, upon receiving a representation in writing from the then British Resident John Bristow Esquire, dated twenty-second January, one thousand seven hundred and seventy-seven, concerning the disordered state of the said provinces, arising from the neglects of the Nabob Vizier, the said Asoph ul Dowlah, and the excessive power and mismanagement of his favourites, persons of no worth, and known to the said Warren Hastings, and by him often declared to be of that description ; in which representation the said Bristow declared that the only remedy for the said disorders was to be found in the assistance and protection of the English ; he the said Warren Hastings, instead of affording the said assistance and protection, and supporting and encouraging the said Bristow in making such true and judicious representations as might lead to a useful and effectual reform of the said abuses, and instead of instructing and authorizing him the said Bristow to take fit measures for preventing the growth of the said abuses, and thereby preserving the said country from impending ruin, did, maliciously and against his duty, discountenance the said Bristow, by removing him, soon after he had made the said representation, from his office of Resident aforesaid, contrary to the standing orders of the Court of Directors, and without any complaint ; and he the said Warren Hastings did wilfully neglect to take any effectual measures for the redress of the grievances of the said provinces, or rectifying the abuses

abuses subsisting therein; and the said Warren Hastings, in contempt of the said lawful authority, did insist that the Company's Resident at Oude was a representative character, and ought to be of his own nomination and not of theirs, and that he ought to have, and would have, in that office a person of his own choice, and in whom he could place confidence, or to that effect. And he the said Warren Hastings did accordingly appoint to the said office a creature of his own, namely, Nathaniel Middleton Esquire, being the more especially a fit instrument for his evil purposes, as having on a former occasion preferred the advantages which he might derive from the favour of the said Warren Hastings to his duty, and refused to deliver to the lawful authority of the Council General, from him requiring it, his correspondence with the said Warren Hastings, whilst he the said Middleton was Resident in Oude, during the lifetime of the aforesaid Nabob Vizier Sujah ul Dowlah, but delivered the same privately to the said Warren Hastings, to be by him destroyed or suppressed, and the same hath been since suppressed or destroyed; and he the said Warren Hastings did send the said Middleton into Oude, in the character and capacity of Resident and Collector of the Company's assignments in that province; but no effectual provision was made in this new appointment, or in consequence thereof, to relieve the distresses of the country, or to check the disorders in its government, which distresses and disorders were daily increasing:

And whereas the said Nabob Vizier Asoph ul Dowlah did, in or about the month of November, one thousand seven hundred and seventy-nine, represent in writing to the said Warren Hastings the declining state of his country, and the extreme distress of his Court, dependants, and family, in strong and moving terms, and did therein detail several affecting particulars of the said distress, as by reference to the said representation will appear; and the said representation the Resident at Oude did declare to be true; and the truth thereof the said Warren Hastings did not at the time attempt to controvert, and he hath since directly admitted that the said representation was founded in truth; yet, notwithstanding the representation, attestation, and admission aforesaid, he the said Warren Hastings, maliciously and corruptly intending and contriving to oppress the said Nabob Vizier Asoph ul Dowlah, his family and his country, for his own evil purposes, and that he might, by encroaching disorder in the Government of Oude, drive the said Asoph ul Dowlah to the necessity of purchasing his mercy and forbearance, did, positively, and in a most insolent and offensive manner, in his minutes of the thirteenth and fifteenth of December, one thousand seven hundred and seventy-nine, refuse to afford to the said Nabob Vizier the relief by him humbly and earnestly

earnestly solicited, or any the smallest part or portion thereof; and though he did attribute the distresses of the country, which disabled the Vizier, the said Sujah ul Dowlah, from maintaining the establishments by him complained of, to the vices of the said Vizier's own character, which had influenced his Government, yet he the said Warren Hastings did neither pursue any effectual measure whatever, for correcting the vices of the said Nabob's Government, nor for enabling him, by a better œconomy, to support the burthen which he thus, against his will, continued upon this degraded Prince, and the undone inhabitants of his country; notwithstanding that the authority and influence of the said Warren Hastings was full as competent in right, and as justifiable at the least in practice, to protect the country of Oude from waste and oppression, as to load it with the burthen of military establishments authorized by no treaty, stipulation, or agreement, and kept up against the strongest remonstrances of its Prince: And the said Warren Hastings, falsely pretending that the danger of the Company's affairs, and their inability to charge themselves with forces, which he did assert to be necessary, did oblige and compel the said Nabob Vizier to keep up the same; when he did at another time, and after he had received bribes from the said Nabob Vizier and his Ministers, (that is to say) in his letter to Edward Wheler Esquire, dated the twenty-ninth of November, one thousand seven hundred and eighty-one, and at sundry other times since, declare, that the keeping up the establishments aforesaid was ruinous to the country of Oude; an injury, not an advantage; a burthen, and not a resource, to the Company's revenues; and that the reduction and disbanding of the same would be an instant relief to our pecuniary distresses, or to that effect.

That the said Warren Hastings, in order to prevent any further remonstrances concerning the grievances, which he was bound to hear, and which he was able, and ought to have been willing, to redress, did, for his said corrupt, oppressive, and tyrannical purposes, on the records of the said Company, declare, that the said remonstrances, and the season they were made in, did give cause for the most alarming suspicions; and he the said Warren Hastings did stigmatize as incendiaries, and did threaten that he would, as far as his influence could produce that effect, bring to punishment those who advised such remonstrances, or employed words or declarations to that purpose; thereby not only refusing to relieve the distresses of the country, but endeavouring even to prevent complaint from being brought to the ears of the Council at Bengal, or to the Court of Directors at home.

That, notwithstanding the menaces aforesaid, farther remonstrances, on the part of the said Nabob of Oude, were made to

the said Warren Hastings to the same purpose, and rejected as the former; namely, on the twenty-fourth of February, one thousand seven hundred and eighty, as also on the fifteenth of May in the same year, and no relief was given, or attempted to be given, by him the said Warren Hastings, on the said subject, in any measure, nor in any manner whatever. And the said Warren Hastings did continue the said grievances until (according to his own opinion, given in writing, on the records of the Council books) he had little reason to be sanguine in his expectation, that even his own endeavours would be attended with much success, in restoring the said country to its ancient condition, in any time he could spare for the purpose, or to that effect; confessing thereby the effects of his criminal refusal to afford a timely relief to the distresses of Oude, which had been so frequently and so urgently represented to him.

ARTICLE NINTH.

THAT a year, or thereabouts, after the last public remonstrance, and after the said Warren Hastings had attributed the sufferings of Oude to the Nabob's own nature and character, and branded the representers of the grievances of Oude as incendiaries, and as persons fit to be brought to punishment, and their requests at that season as giving cause to the most alarming suspicions, as aforesaid, the said Warren Hastings, having driven the parties complaining to such distress as he thought might oblige them to offer bribes to him for their ransom, did suddenly and corruptly alter his language, although there was then no difference in the situation of affairs, with regard to foreign wars or enemies, from that in which they stood when he had refused all relief to the Vizier in the peremptory and offensive manner aforesaid; and he did, in his minute of the twenty-first of May, one thousand seven hundred and eighty-one, himself represent the province of Oude as fallen into great disorder and confusion; and that its resources were in an extraordinary degree diminished; and did thereon propose in Council, himself and Mr. Wheeler being at that time the only members, a delegation to himself, containing new, dangerous, and exorbitant powers, relative to the regulation of the affairs of the said Nabob

of

of Oude, with such authority to enforce the same as the Governor General and Council might or could exercise on occasions in which they would be warranted to exercise the same by the claims which the said Company hold, or may have, on the dominions of the said Nabob; and the said commission did also give to the said Warren Hastings exorbitant general powers with regard to the making of treaties, and war and peace, and did declare that all such acts, and all such engagements or treaties made as aforesaid, should be binding on the Governor General and Council, in the same manner, and as effectually, as if they had been passed and done by the special and immediate concurrence and actual sanction of the Governor General and Council in Council assembled.

That the said commission given as aforesaid by the said Warren Hastings to himself, was destructive to the constitution of the said Council, contrary to the standing orders of the said East India Company, and to the act of the thirteenth of his present Majesty, intituled, " An Act for establishing certain regulations for the better management of the affairs of the East India Company, as well in India as in Europe." And the said Warren Hastings did himself conceive and understand, that the said commission was illegal, he having in his minute of the third of July, one thousand seven hundred and eighty-three, declared his opinion that the whole power of the government, on his departure, would legally vest in his sole colleague, Edward Wheler Esquire; and yet he did, in the same paper or minute, attempt to divide the powers which the said Wheler possessed by the legal constitution of the Board, and to limit them to those not given, by the aforesaid illegal commission, to him the said Warren Hastings, and that to make an unwarrantable and unlawful agreement for a partition of the power between him the said Warren Hastings, and his said colleague, which had been by Act of Parliament collectively and integrally given to the said Governor General and Council in Council duly assembled; but the said Warren Hastings, foreseeing that one or the other of these divided authorities must be illegal, and the said Wheler, not knowing with certainty whether, in the issue, that delegated to him might not be found insufficient, he, the said Warren Hastings, in order to satisfy the said Wheler, did contrive and devise an illegal remedy for any acts which the said Wheler might illegally perform, on the supposition of the invalidity of his authority, the same having been before, in its most essential parts, wholly delegated, in effect, to the said Warren Hastings, by engaging in a written instrument under his signature, that, so far as his the said Warren Hastings's sanction should be, or should be deemed necessary, he the said Wheler should receive that sanction to all his measures, or to that

that effect, though he the said Warren Hastings neither did nor could know what those measures might be.

And it does not appear that there was any justifiable or even colourable act done by the said Warren Hastings, in his negotiations with the Vizier, in virtue of the aforesaid illegal commission, which might not have been at least equally well done, and with less question as to its validity, by the British Resident at the Court of Oude, or any other person deputed legally by him; by which unwarrantable assumption of unconstitutional and irregular power, wholly foreign to his ordinary duty, and wholly unnecessary for any good or legitimate purpose, and his attempting to enforce and cover the same by so many intricate and subtle devices, he did discredit the office of Governor General, and the British Government, in the eyes of the natives of India, and in those of the Company's servants, by furnishing a strong ground for suspicion, that he did proceed in proposing and accepting this delegation upon motives as corrupt and criminal as his commission was illegal.

And the said Warren Hastings did proceed to meet the Vizier Asoph ul Dowlah, in consequence of the said illegal commission, at a great and unnecessary charge to the East India Company, and did scandalously and corruptly take an unlawful gift or bribe from the said Vizier Asoph ul Dowlah and his Ministers, to the amount of one hundred thousand pounds, or some other great sum of money; and did on the nineteenth of September, one thousand seven hundred and eighty-one, at a place called Chunar, enter into a treaty or agreement commonly called the Treaty of Chunar, in which he did consent to certain propositions, which, previous to the said treaty, he had always refused, namely, either to the reduction of certain large bodies of troops in the pay of the Nabob Vizier, or to the charging the expences of them, or some of them, on the East India Company, and withdrawing them from the dominions of the Nabob of Oude; which stipulation or treaty, if not agreeable to the true interest of the East India Company, he was and is culpable for having made; but if the same was a treaty fit to be made, the same ought to have been by him faithfully kept and observed. Notwithstanding which his treaty and agreement he did, a very short time after making the same, perfidiously, and to the dishonour of this nation, violate his own and the public faith in putting the troops aforesaid, or some of them, or other troops equally burthensome, on the establishment of Oude, at a great charge to the said Vizier Asoph ul Dowla, and contrary to the true intent and meaning of the said treaty, and contrary to the will and inclination of the said Vizier, who, being in entire subjection to the said Warren Hastings, was obliged at length to consent, or rather to submit, to whatever he should direct.

And

And whereas the said Warren Hastings did engage, by the first article of the said treaty, wholly to exonerate the said Vizier from the charge of all English gentlemen in a civil or military capacity (with certain exceptions in the article made), who received pensions or allowances from the revenues of Oude, admitting the same to be an intolerable burthen on the Vizier; yet he, the said Warren Hastings, having no regard to the faith of his engagements entered into by him on the part of the East India Company, but solely intent on the pursuit of his own corrupt purposes, did at several times impose a-new, or did suffer to continue sundry pensions and allowances, over and above those specially provided in the said article, to the amount of one hundred and forty thousand pounds sterl by the year, or some other great sum, the said Warren Hastings deceitfully pretending that he was unapprized of the existence of the same, until by the recriminatory accusations of Mr. John Bristow and Mr. William Cowper he did confess himself compelled to acknowledge his having authorized certain pensions, which he had thus perfidiously and oppressively imposed, and which were an unsupportable charge on the revenue of Oude.

ARTICLE TENTH.

AND whereas the said Warren Hastings, by the second article of the aforesaid treaty of Chunar, did agree to permit the Nabob of Oude to resume such landed estates, called jaghires, as to him the said Nabob might appear to be necessary; yet he the said Warren Hastings did afterwards take away the use of the discretion reserved to the Nabob in this important point, relating solely to his own internal authority and jurisdiction, and to the protection which he owed to his subjects, and did violently compel the said Nabob to an universal confiscation of the said jaghires or landed estates; and the Nabob did accordingly, by and under the compulsion of the said Warren Hastings, universally confiscate all estates of that description, in breach of his the Nabob's faith; who having been driven, by the demands of the Company, during the residency of Mr. Purling, to make a temporary seizure of the profits of the lands aforesaid, did then give his bonds and obligations for the repayment thereof, and did add his solemn assurance,

assurance, that he would never again resort to the like oppressive measure.

That in the number of persons so dispossessed of their estates by such confiscation, were comprehended the nearest relations of the Nabob himself, and the ancient friends and dependants of his family; and the annual value of the said estates amounted to four hundred and thirty-five thousand pounds sterlinc, or some other large sum of money, according to an old valuation; but they were in reality found to yield considerably more: And the said persons thus violently stripped of their property (many of them of high birth and quality, and the greatest part having no other maintenance), were reduced to such extreme distress, as to be obliged to subsist on the sale of their moveables or on alms: And the confiscated lands being put on rack rents, the people, inhabitants thereof, were grievously oppressed; and universal discontent, and the greatest confusion, did ensue throughout the whole country, long agitated and wasted, and in which much blood was shed; and, in particular, the commotions excited by the Rajah Bulbulder Sing did wholly arise from the aforesaid arbitrary, and unjust, and perfidious measure.

That the Nabob Vizier did frequently petition the said Warren Hastings to be permitted to restore the said jaghires to their original proprietors, but for a long time without effect; and when he was at length permitted, by the said Warren Hastings, to restore certain of them, it was but in an imperfect and scanty measure.

ARTICLE ELEVENTH.

THAT by a certain article in the treaty of Chunar aforesaid, it was in effect and substance provided, that the Nabob Vizier should submit to intrust the management of his revenue and treasury to a certain Minister of his, or one appearing as a Minister of his the said Nabob's, called Hyder Beg Khan, who was withdrawn from the controul of his master the said Nabob, and placed under the controul of, and obliged to act with, the participation of the British Resident; and that, in sundry other acts of his government, the said Nabob was bound, by the said article in the said treaty, to act with the concurrence of a British Resident,

Resident, without any expressed participation of the Minister; and the said article of the treaty aforesaid, worded in loose and ambiguous terms, was so intended by the said Warren Hastings, and in that light, or to that effect, it was by him represented in a letter by him written to Edward Wheler Esquire; in which letter he did also represent the British interference or participation as an arrangement of affairs which would prove of greater benefit to the Vizier than to the British Government: But the said Vizier Asoph ul Dowlah, considering the same as a virtual surrender of his whole authority either to the said Hyder Beg Khán, or to the British Resident, or in some cases to both, did for a considerable time withhold his assent from the said agreement, and declined to put his seal to the same, until the said Nathaniel Middleton, the Company's Resident at his Court, being then, as well as the said Nabob Vizier, in the same room with, and in the presence of the said Warren Hastings, did assure the said Nabob Vizier, in order to engage him to affix his seal to the said treaty, that the said article thereof was never intended to be put into execution, but that the said Warren Hastings was desirous of having something to shew to the East India Company, as a compensation for the concessions in the said treaty made to the said Nabob Vizier, or words or expressions to that or an equivalent effect; and the said Nabob, under the faith of such the assurances given by the said Middleton, in the presence of the said Warren Hastings, did then execute the said treaty, by affixing his seal thereto: And the said Warren Hastings having, in order to give colour to the perfidious acts which he then meditated, did, notwithstanding the said assurance given by his own Resident, in his own presence, four days after the execution of the said treaty, that is, on the twenty-third of September, one thousand seven hundred and eighty-one, faithlessly and fraudulently write a letter of instructions to that very Nathaniel Middleton who had given the verbal assurance aforesaid, directing him substantially to carry into effect the said article in its utmost rigour and the largest latitude of construction, throughout every department of the Vizier's government, charging him with a dreadful responsibility, if he neglected to carry the same into execution according to the said instructions, and the powers and authorities ordered to be exercised in the said instructions, in and by virtue of the article of the treaty which the said Middleton had assured the Vizier was not to be carried into execution; and powers were in sundry instances, in consequence of, and in obedience to, such order of the said Warren Hastings, effectually exercised by the said Nathaniel Middleton; and the said mode of conducting a treaty, and the subsequent acting thereon, were full of fraud and duplicity, unworthy, base, and treacherous, and had a tendency to bring the British faith and name into dis-

repute, and to fill the country powers, dependent and independent, with a fixed distrust of all treaties and engagements entered into with the British nation: And the said Warren Hastings, with an intent to cover the true nature of the transaction aforesaid at Chunar from the Court of Directors, did destroy or wilfully conceal and withhold from the said Court, and doth still wilfully conceal and withhold, or cause to be withheld, from the said Court, the original papers and documents by him referred to in his correspondence, and on the matter of which the said treaty was made, as also the original treaty itself, contrary to law, and to his duty.

ARTICLE TWELFTH.

AND whereas the said Warren Hastings was of opinion, or did pretend to be of opinion, that the appointment of British officers to command the said Nabob of Oude's troops, was a most pernicious measure to the service in general; yet he, the said Warren Hastings, in contradiction to his own opinion and judgment, did not only take a principal part in the original establishment of that arrangement, but did propose to place sundry large establishments of troops in the Nabob's service and pay, under British officers, who were not to be subject to the orders of the said East India Company, or to the same military jurisdiction, or disposition and discipline, to which the said Company's troops were subject, but were wholly separated from the same; and he, the said Warren Hastings, under colour of recommendation, did appoint Major, afterwards Lieutenant Colonel Alexander Hannay, to the command of the said corps, and did appoint Captain Balfour and Captain Lumsdaine to command in the said battalions under the said Major Hannay; but did, contrary to his duty and his conscience, and his own opinion of what was conducive to the good of the service, on the suggestion of Major Osborne, an officer in the service of the East India Company, propose, through the Resident Middleton, to the Nabob Vizier, to establish in his pay and service a body or battalion of troops, under the command of the officer aforesaid; but the said Nabob, on the proposition being made to him, did for some time decline giving any answer, but did at length totally reject the said plan or proposal, and the said Major Osborne did thereon

thereon repeat his request to the said Warren Hastings, requiring in effect a new and more authoritative and peremptory requisition on the subject; and the said Warren Hastings, against the remonstrances of two of his colleagues, stating the hardship to the Vizier in forcing the said battalion on the said Vizier, contrary to his declared pleasure, did, by his casting vote, carry the same; and accordingly a letter was written in the name of the Board to the Resident, to renew the demand in such a manner as to render the same effectual; and one to the Vizier, to the same or a like effect; and the said Vizier was reluctantly obliged to submit to this iniquitous, and uncoloured, and oppressive demand.

That the said Warren Hastings was well informed, that when the expence of the Company's temporary brigade did, in the year one thousand seven hundred and seventy nine, encrease in the sum of eighty thousand pounds sterling, above the established estimate, and that the charge of the aforesaid corps of the Nabob's own troops under British officers, were in that year increased in the enormous sum of forty thousand pounds above the estimate, the said Warren Hastings did wilfully and criminally neglect to make any enquiry how the increase did arise, or to pursue any measure for the prevention of the growth of the said shameful expence in future.

That though complaints were made to the said Warren Hastings concerning the conduct of the corps under the said Major Osborne, which had been raised by the influence and under the authority of the said Warren Hastings, accusing them of committing divers depredations on the country they were appointed to protect; but the said Warren Hastings did wilfully and corruptly decline to make any enquiry into the grounds of the said complaints, or to call the said Major Osborne to account for the same, but did endeavour, after the complaint made of the mischief done by the former, to appoint another corps for the same, or a similar service, and on the same footing, in favour of Captain Clarke.

That the said Warren Hastings, after the several corps aforesaid had, according to agreement, been disbanded, and after he had made an agreement to withdraw certain large bodies of the Company's regular troops from the pay and the dominions of the Vizier, he did, some time in the year one thousand seven hundred and eighty-four, in order to elude the said agreement, and to re-establish troops of that description, in breach of his duty, and in contradiction of his own repeated declarations of the mischiefs incident to troops under European officers, in the service of the Nabob of Oude, and notwithstanding his experience of the ill effects which had actually been produced by the original establishment of such troops, did cause a battalion of

soldiers under British officers, commanded by Captain Polhill, to be put upon the establishment of the Vizier, and great disorders and mutinies in the said corps did ensue; nor was a remedy found for the same, until the said battalion was broke, and entirely disbanded.

ARTICLE THIRTEENTH.

AND whereas the said Warren Hastings was well aware that the orders of the Court of Directors of the East India Company, which he was bound substantially, and with good faith, to obey, did strictly forbid that any military officers in their service should hold any office or share in the collection of revenue, within the provinces under their jurisdiction: And the said order was wisely and providently made, as well for the benefit of the revenue as for preservation of discipline in the said officers, and for security of the natives from oppression:

And whereas the dominions and territories of the said Nabob of Oude were under the protection of the East India Company, and in a state of real dependence on the said Company, or of those who exercised their authority:

And whereas the said Company had a valuable interest in the prosperity of the aforesaid territories, as well as in that of the provinces immediately under their jurisdiction, and which interest and property the said Warren Hastings was in duty bound to attend to, and was bound also religiously to abstain from any act which had a tendency to the prejudice thereof; yet he the said Warren Hastings, intending to procure excessive and unlawful profits to Alexander Hannay aforesaid, and for that purpose, by subtlety, artifice, and fraud, to defeat the true intent and meaning of the Company's salutary orders, and to corrupt the discipline of the army in the dominions of their allies in the first instance, and ultimately in their own, not content with having as aforesaid, against his own conscience, judgment, and opinion, by his influence and power established the corps under the said Hannay in the said Nabob Vizier's service, did also soon after or about the time of the said appointment of the said Hannay, or at some other time while the said Hannay did hold and exercise the said military command, by the same his overbearing power and influence, recommend him the said Hannay to the general farms, or collection of revenue of two great provinces in the dominions

of the said Nabob of Oude, called Baraitch and Gorucpore, and did procure him to be appointed thereto ; which last-mentioned appointment, according to the evil customs which prevailed for some time in that country, and did then prevail, did also comprehend, or was complicated with, several arbitrary, unlawful, and mischievous powers and authorities, unfit to be held or exercised by any person, much less by a British subject and servant of the said East India Company, which did particularly expose military officers commanding therein to the temptation of lucre by peculation, and did expose the people who were thus put under a foreigner, a person evidently protected by a power stronger than the native Government of the country, to oppression, without other controul than what might arise from the mere personal disposition of the said foreign farmer general and military commander.

And the said Hannay having made an ill use of the united exorbitant powers aforesaid, in the heavy oppression of the inhabitants of the said provinces of Baraitch and Gorucpore ; and the said Nabob Vizier, on complaint thereof, having removed the said Hannay from his said office of farmer and collector of revenue, was with much reluctance, and notwithstanding many bitter complaints by him made, obliged, through the influence and power of the said Warren Hastings, again to restore him the said Hannay to the occupation and authority from which, for his said misconduct, he had been removed : And the said Warren Hastings, instead of taking any measures to check or control in future the exorbitant and abused power of the said Hannay, whom he had thus forcibly obtruded a second time into the management of the said Nabob's revenues, did, on the twenty-sixth of April, one thousand seven hundred and eighty, write a letter to the said Nabob, expressing his satisfaction at his restoration of the said Hannay to the employment to which he the said Warren Hastings had originally recommended him, and that he considered the same as an attention to that recommendation ; telling the said Nabob, in an insolent and overbearing manner, that it was not his intention to force or even to influence his choice (after he had in fact not only influenced but forced his choice), but that if he did employ the said Hannay, he the said Nabob should convince him the said Hannay, as well as the immediate rulers of the country which he was to superintend, and above all, the people about his the said Nabob's person and court, that he placed an implicit confidence in his the said Hannay's zeal for his service ; with several other expressions and suggestions in the said letter contained (as by the said letter, reference thereto being had, will more fully appear) strongly discouraging the complaints of those who alone could make any complaints with effect, he the said Warren Hastings not having in any known manner enquired

quired into the truth and justice of former complaints, plainly by him implied in the said letter to have been made; but, on the contrary, he the said Warren Hastings did, in the said letter, accuse persons in the said Nabob's Court of interested views and incendiary designs, and did attempt, without any reason or ground, to take away all credit from their future representations, instead of making the course of complaint easy to the unhappy persons subjected to such unlimited and arbitrary command, exercised by a person recommended thereto by himself, as his general duty, and his particular responsibility, in such a case bound him to do.

And whereas the said Warren Hastings, on or about the time that the said Hannay was removed as aforesaid from his farm, or other collection of revenue in the provinces of Baraitch and Gourclore, that is, on or about the latter end of the year one thousand seven hundred and seventy-nine, did find the burthen of maintaining the detached corps under European officers, of which the said Hannay's battalions composed a principal, if not the larger part; and the said Nabob did signify, or cause to be signified, to the said Warren Hastings, that the said detached bodies of troops, under their European officers, brought nothing but confusion into the affairs of his government, and were entirely their own masters; praying that he might be relieved from the burthen of those, along with that of other troops in the memorial or representation mentioned, which the said Warren Hastings did understand and declare to include specially the corps under the said Hannay, and those under the said Osborne, and certain other corps; he the said Warren Hastings did not only disregard the said request, to which he ought to have attended, but did declare the same to be totally inadmissible, though no part of the reasons or pretences assigned by the said Warren Hastings, either then or since, for refusing to free the said Nabob from the burthen of troops in general, namely the apprehension of foreign wars, and the inability of the Company to bear the expence of the corps to be reduced, did at all apply to the corps commanded by the said Hannay, the said corps having no concern with foreign wars, but being solely employed in the collections, and the said corps, when it should be discharged from the said Nabob's pay, not being to return on the Company's establishment, with which it had no connection: And the said Warren Hastings, in order to terrify the said Nabob and his Ministers, as well as all other persons, from all representations on a subject so immediately affecting the said Nabob's revenues, and the welfare of his subjects, did, in his minute of the thirteenth of December, one thousand seven hundred and seventy-nine, move, That the Resident at Oude should inform the said Nabob, that the advice of his Ministers, who had instigated him to make the said

said representation, appeared to him insidious and dangerous, and that the Council hoped he would dismiss them from his service and confidence, as unworthy of both ; and in a minute of the fifteenth of the said month, he did threaten to bring to punishment, as incendiaries, those who advised the said representations and requests, and used therein other expressions, in substance and terms corresponding with the matter and expressions which he used in his letter to the Nabob, of the twenty-eighth of April, one thousand seven hundred and eighty ; when, in consequence of the menaces of the thirteenth of December, one thousand seven hundred and seventy-nine, or some other such menaces, the said Nabob was compelled to restore the said Hannay to the charge of certain provincial collections ; and a letter to the Nabob, conformably to the said minutes, was soon after written and dispatched by the said Warren Hastings ; and the said Warren Hastings, when he kept up the said Hannay's corps, in defiance of the Prince in whose immediate service it was pretended to be, did not make, or cause to be made, any enquiry whatsoever, as it was his duty to do, into the confusion alledged by the said Nabob Vizier to be brought into his Government by those or other corps of a similar description, or even into the fact by the said Nabob charged, of their being, contrary to their occasional subjection, and contrary to all the rules of military discipline, their own masters, although Philip Francis Esquire, one of the Council, did, in a recorded minute of the fifteenth of December, one thousand seven hundred and seventy-nine, declare it notorious that the troops aforesaid had devoured the said Nabob of Oude's revenues and his country, under colour of defending it, and that he was convinced the representation of the Nabob, concerning the confusion brought on his Government, and that the troops aforesaid being their own masters, was strictly true, or to that effect ; and he the said Warren Hastings did thereby, contrary to his duty, his conscience, and his trust, wilfully connive at, countenance, and encourage the said confusions, and the said destruction of military obedience, and thereby, and by other his acts before recited, did, with wicked and corrupt views, leave the said countries of Baraitch and Gorucpore exposed to all the united mischiefs of a rapacious and oppressive revenue exaction, and a violent, disorderly, and licentious military tyranny, both being exercised by or under the authority of the said Hannay ; and in consequence thereof, the said countries of Baraitch and Gorucpore were, in a most cruel, outrageous, and savage manner, by the said Hannay, supported and countenanced as aforesaid, and by those acting under his the said Hannay's authority, despoiled, wasted, and depopulated.

That whereas, by reason of the misgovernment and oppression exercised in the collection of the land revenue in the provinces of Oude,

Oude, the Zemindars have been obliged to defend themselves against the collectors in fortified places ; and the collectors aforesaid, in order to enforce the collection of the revenue, together with their unjust exactions, do often violently seize upon the innocent brother, son, or some near relation or dependant of the different Zemindars or landholders, and imprison them as hostages in places of security, in a large district, sometimes to the number of several hundreds, whereby, and by other evil and oppressive practices, the inhabitants are often driven to rebel ; and he the aforesaid Hannay, carrying on the collection of the revenue in the aforesaid oppressive manner, and taking the aforesaid cruel and unjust method of exacting the same, did retain in captivity, and imprison, in one fort only, namely, that of Gorucpore, one hundred and fifteen of such hostages as aforesaid, inhabitants of a district called Sarwar, or did retain in captivity, or imprison, upon some other pretence, or upon his mere arbitrary pleasure, the number of one hundred and fifteen persons inhabitants of the said district, and great discontents did therefrom arise ; and on the fifteenth of the month of Rammazân (answering to the fifth of September, in the year one thousand seven hundred and eighty-one), all the Zemindars, great and small, and all the inhabitants of Gorucpore, to the number of many thousands, and several others from the adjacent districts, being provoked at the cruel and unjust captivity of the said hostages, or other inhabitants, did raise a general insurrection, and did attack the fort of Gorucpore, in which a native subaltern officer, under the said Hannay, called Allahd Sing, did command, in order to release the inhabitants imprisoned therein ; and on pretence that during the said attack a soldier had cried out that the hostages or inhabitants aforesaid had began an attack upon him the said officer, although the said captives were unarmed, did give instant orders to put them all to the sword, which violent and barbarous order the said soldier did set himself to obey, and did actually strike off the heads of eighteen of the said captive inhabitants, and threw them over the walls of the fort, having also wounded several others ; and, a few days after a victory had been obtained over the people making the insurrection as aforesaid, the said Hannay, instead of any enquiry into the necessity of the barbarous act aforesaid, committed by an officer under his command, or endeavouring by lenient measures to reconcile the persons whose friends had been thus slaughtered, he did in cold blood send a written order to Munnawar Khan, another officer, or other person under him, giving directions concerning a certain person of great rank, eminence, and consideration in the country, called the Rajah Mustapha Khan, purporting, that if the said Rajah Mustapha Khan had been put to death, it was well—if not, to strike off his head, or words or

directions to that effect. And the said Munnawar Khan, shocked at the said inhuman and wicked order, did decline obedience thereto, and did shew the same to the very officer who before had committed the terrible slaughter aforesaid ; yet the said officer, who appears to have been of a savage and bloody disposition, did however recoil from the execution of the said order, and declared that he would write to the Colonel, meaning the said Hannay, on the subject, as the order was not expressly directed to him, or used expressions to that effect. And the said order did remain without execution till the arrival of Captain David Williams at Gorucpore, when the said David Williams, or some other English officer, did, in execution of the said bloody and arbitrary order, without any form of process, and in cold blood, direct and cause to be put to death the said Rajah Mustapha Khan, and caused proclamation to be made through the town of Gorucpore, that those who had been guilty of the same offences should be liable to the same punishment, or to that effect. And the said cruel and atrocious murder, perpetrated on a person of high rank, did exceedingly exasperate all persons of all ranks in the said country, and did tend to inflame the tumults and disorders which then began to prevail in the said province, and to extend the same to all parts thereof. And in consequence of the said tumults, and the discontents which spread also amongst his own (the said Hannay's) troops, three battalions, or a great part thereof, did mutiny and desert, and he was in a shameful manner obliged to abandon the country ; which was soon after recovered by Major Naylor with one battalion only. But the said Warren Hastings, although accounts of the proceedings aforesaid were brought to his knowledge, did not cause any enquiry whatsoever to be made into the conduct of the said Hannay, as it was his duty to do, relative to any one of the particulars above recited, or to the complaints which were made by the mother and grandmother of the said Nabob of Oude, concerning the misbehaviour of the said Hannay, and of Captain Gordon, an officer acting under him, in the districts of Baraitch and Gorucpore, but did afterwards, and after all the calamities aforesaid had befallen the country, and the battalions under the command of the said Hannay ; and although by the said treaty of Chunar the said battalions under the said Hannay had been agreed to be reformed and suppressed ; and that although he the said Warren Hastings was in his own conscience persuaded, and did inform the Court of Directors, that in the removal of the Company's servants, civil and military, he was actuated by motives of justice to the said Vizier, and a regard to the honour of the national character ; and although he also knew and declared, that the remote stations of those troops, placing the commanding officers and the troops in Oude beyond the notice and control of the Board

(meaning the Council General), afforded too much opportunity and temptation for unwarrantable emolument, and had excited the contagion of peculation and rapacity throughout the whole army, he the said Warren Hastings did so far abet, countenance, and encourage the said Hannay, that though he himself knew, and it was generally known, that the said Hannay had again the presumption to apply to the said Vizier for the farm of Baraitch and Gorucpore, he did not in any way discourage such application; whereby, and from his general known support and countenance to the said Hannay, a report did prevail, and did gain entire credit in the said Vizier's Court (the said Vizier having at that time a public minister at Calcutta, who had very constant intercourse with the said Warren Hastings, and was likely to obtain the best intelligence of his designs), that the said Warren Hastings was again preparing to send the said Hannay into Oude, in order to obtain again either the farm aforesaid, or the farm of the districts then rented by Almas Ali Khan, and Khojah Arin ul Dien Khan, or of some other great districts in the said Vizier's dominions. The said Vizier was so alarmed by the said prevailing report and opinion, or by intelligence received by him from his minister at Calcutta to that effect, that he wrote a letter to the said Warren Hastings, acquainting him of the information he had received, namely, that the said Hannay would desire his the said Warren Hastings's permission to be employed in that quarter, meaning his the said Vizier's dominions; and he the said Vizier was so violently agitated, and struck with such extreme horror, with the apprehension of the return of the said Hannay into his dominions, that in his said letter he swore, according to his religion, by the Holy Prophet, if by any means any matter dependant on him should be entrusted to the Colonel (meaning the said Hannay), he would not remain in his dominions, but would go to him the said Warren Hastings, or to that effect; and the said letter was duly received by the said Warren Hastings; and though the said Vizier did in the said letter, under the alarm aforesaid, earnestly entreat the said Warren Hastings, that no matter dependant on him should be entrusted to the Colonel (meaning the said Lieutenant Colonel Hannay); and though he did likewise request, that the said Warren Hastings would oblige him with a speedy answer, which might set his mind at ease; and although the said Warren Hastings was bound, by common decency and common humanity, immediately to give satisfaction to the said Vizier (the first ally in rank and importance of the East India Company, and one entitled to every mark of respect and protection), and was also bound to quiet the mind of the said Vizier, so agitated, as he saw by the said letter it was, through the dread of so great a calamity, as well as to clear his own character from the imputation

of having formed against the said Vizier so hostile and alarming a design as had been attributed to him; and though the letter aforesaid was by him the said Warren Hastings received on the fifteenth of September, one thousand seven hundred and eighty-two, he the said Warren Hastings did not return any answer whatever thereto until the thirtieth of December following, which was after the said Hannay had died; at which time, and not before, he wrote a letter to the said Vizier, of which an abstract only is on the Company's records, declaring therein, that no intention was ever formed of employing Colonel Hannay at Lucknow; thereby leaving just ground to the said Vizier, and to all other persons, to be assured that the death of the said Hannay alone prevented his being employed in the manner which the said Vizier so justly dreaded: In all which acts done by the said Warren Hastings, contrary to his duty, and in all the aforesaid neglects of duty, the said Warren Hastings was and has been the cause of great damage to the country of Oude, of a high breach of his trust, and did dishonour, and hath dishonoured, the name and character of this nation.

ARTICLE FOURTEENTH.

THAT the Nabob Vizier having reason to entertain apprehensions relative to the security of his own person, and the stability of his own situation, from the malice and corruption of the said Warren Hastings, notwithstanding the large bribe by him given as aforesaid to the said Warren Hastings at Chunar, the said Warren Hastings having in sundry instances treated him since that time with great inhumanity, perfidy, and rigour; and the said Nabob Vizier having further cause of apprehension, because Lieutenant Colonel Hannay, a person protected by the said Warren Hastings, though in the service of the said Nabob Vizier, and receiving his pay, and loaded with his benefits, did write a letter to excite dangerous suspicions of him the said Nabob Vizier; which proceeding was not discountenanced by the said Resident Middleton, who transmitted the same to the said Warren Hastings, and which he the said Warren Hastings did receive without manifesting any displeasure towards the writer thereof; and the said Nabob Vizier having further reason for alarm, because Sir Elijah Impey, his Majesty's Chief Justice,

and acting as Amanuensis and Private Secretary to the said Warren Hastings, had been, by the direction of the said Warren Hastings, employed since the treaty aforesaid in taking affidavits tending to criminate the mother of the said Nabob Vizier, and his nearest kindred ; and he the said Chief Justice did exercise that odious and treacherous office, in violation of the laws of hospitality, whilst he was the guest of the said Nabob Vizier at his Court, and receiving at least honorary presents, and pledges of amity from him ; the said Nabob Vizier, from all the aforesaid circumstances, and others, became affected with great terror, and did fall into a profound melancholy, and in that state of mind, in order to avert the evil designs of the said Warren Hastings, did offer him, through the said Resident, Nathaniel Middleton, a further and second bribe of one hundred thousand pounds, or some other great sum of money, and did give assignments on the landed revenue, or some other security, for the payment of the same, which assignments, or some other security, was accepted by the said Nathaniel Middleton ; but a letter which was written by the said Middleton to the said Warren Hastings, relative to the said bribe, or unlawful present, offered in or about the months of January or February, one thousand seven hundred and eighty-two, requesting his acceptance of the said unlawful gift or present, has been, against law and his duty, and for base, clandestine, and corrupt purposes, by the said Warren Hastings wholly suppressed, as well as his answer to the same, if any answer was by him given thereto, although it was the duty of the said Warren Hastings to produce to the Council General at Fort William the letter aforesaid ; and he was bound to give a speedy answer, containing a direct refusal to the same, and to reprimand and bring to condign punishment the said Middleton, for accepting the discreditable and infamous office of agent in the offer of a bribe to his principal, the Governor General, by which neglect of censure and discountenance, the said Middleton, and others in subordinate situations, might be taught to consider the receipt of bribes to themselves as a matter which might bring no danger or discredit to them.—And it does not appear, that any the least notice was taken of the said corrupt transaction, neither was any document whatever concerning the said offer through the said Middleton, nor concerning any other unlawful gift or present offered or taken from Oude, directly produced to the Council General, by the said Warren Hastings, until the month of June, one thousand seven hundred and eighty-three, one year and four months after the offer of the said present, and the taking assignments on the revenues or other effects for the same ; at which time, on certain articles of accusation made by the order of the said Warren Hastings, against Richard Johnson Esquire, it did appear, that on the twenty-

third of May one thousand seven hundred and eighty-two, he the said Warren Hastings had given secret instructions to his agents, Palmer and Davy, to persuade the said Nabob Vizier to apply the said present to the use of the Company (which instructions he did not produce till the twentieth day of October, one thousand seven hundred and eighty-three), and he did accuse the said Johnson of being a cause of preventing the said present from being applied to the use of the said East India Company, to whose service the said Warren Hastings did assert he had given private instructions to his secret agents, Palmer and Davy, that the Nabob Vizier should be requested to permit the same to be applied ; and the said Johnson did admit the fact, and did assert, in justification of his act, that he had obstructed (meaning that he had for the time defeated) the whole and every part of the said design, and that no assignments or other valuable effects had been made over to the Company for the said present, or used expressions or declarations in that sense, or to that purpose ; notwithstanding which plea and admission of the said Johnson, that the whole design, and every part thereof, was by him defeated, the said Warren Hastings did, in a written minute of consultation (dated twenty-first of October, one thousand seven hundred and eighty-three), directly assert, that he was morally certain, that either assignments on the revenue of the Nabob of Oude, or bills, had been given for the said present ; and his colleague in office, a member of the Supreme Council, Mr. John Macpherson, did positively assert also on record, that he always understood, that bills had been given to the amount of the intended present, and that the said Hyder Beg Khan and the said Johnson ought to account for and explain the same : Yet the said Warren Hastings having obtained the sole object he had in view in his said accusation, which was to draw from the said Johnson an acknowledgment that no charge had been brought on the said Nabob Vizier by this present, and intending fraudulently to suppress every thing which might throw light on that base and criminal transaction, never did call on the said Johnson to account for the said bills, assignments, or other effects, which he did so as before declare himself morally certain to have been given and appropriated, and which his colleague, the said Macpherson, by his minute recorded in the books of the Council, did assert as aforesaid the said Johnson ought to account for ; nor did he, the said Warren Hastings, produce the letter, whether from his secret agent Palmer, or from his instrument Hyder Beg Khan, to his other secret agent Major Davy, on which he grounded his accusation against the said Richard Johnson relative to the said present ; nor did he write to the said Palmer for any explanation of the subject, nor to the said Hyder Beg Khan, nor to the said Resident Bristow, then in Oude, nor to any other person

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who might have given or procured due and proper information relative thereto ; but he the said Warren Hastings did suddenly put an end to the enquiry, by declaring that he was glad that the intended present never had been applied to the Company's use, and that it would be of no service to the Company, but would add greatly to the distresses of the said Nabob Vizier, though the said Warren Hastings himself had so recently, in a regular and formal charge, accused the said Johnson of preventing it from being applied in that manner and for that purpose ; and he did not only thus put a stop to the enquiry instituted by himself, but, almost immediately after his accusation of the said Johnson on that and sundry other heads of charge, and of certain of which he did declare him, in his opinion, guilty, he did promote the said Johnson to an employment of great honour, emolument, and trust, namely, that of an important embassy to a foreign Court ; and the said Warren Hastings did carefully avoid examining at Calcutta the said Nathaniel Middleton (through whom, and not through the said Johnson, the offer of the said present was made) for any account or explanation of the same, though at the time of the enquiry concerning the said present he the said Middleton was actually in Calcutta, and his own conduct was at that very time a subject of enquiry, upon accusations preferred against him by the said Warren Hastings himself, on sundry misdemeanors charged by him to be committed by the said Middleton, in the capacity in which he was when the present or bribe aforesaid was offered through him ; and though the said Middleton could have wholly contradicted the said Johnson's plea and assertion at Calcutta, and have proved that assignments had actually been given for the present through him offered, and that collections were made by him thereon, but the said assignments do not appear on any record, correspondence, minute, or other evidence, or written document, nor doth it appear that any money received thereon hath been brought to the Company's account, or to that of the Nabob Vizier ; so that the said assignments made must have been made for some secret criminal purpose, and what money was received thereon must have been so applied. And whereas a letter from the said Nabob Vizier was received by the said Warren Hastings (dated in the month of Shabaun answering to the month of July or August, one thousand seven hundred and eighty-two), acquainting the said Warren Hastings that though he the said Nabob had positively refused to comply with a large loan demanded of him by the Majors Palmer and Davy, the private agents of him the said Warren Hastings, he had actually agreed to the payment of a present of ten lacks of rupees, being upwards of one hundred thousand pounds, for the uses by them demanded ; and it doth not appear in the correspondence between the said Vizier and the said Warren Hastings that the de-
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sign was defeated, as the said Warren Hastings hath asserted and charged, and as the said Johnson hath admitted that it was in the whole, and consequently in all the parts, by him the said Johnson defeated; nor doth it appear that the said Warren Hastings did write any answer to the said letter, in which the Nabob Vizier did inform him of his having consented to the payment aforesaid, on conditions therein referred to; nor did he produce the said letter, in opposition to the declarations of the said Johnson; nor did he enter on record the paper of conditions referred to in the said letter, as by Act of Parliament and by his duty he was bound to do; and from the evidence, which he hath purposely left in a state of contradiction and obscurity, when he had it in his power to establish the truth or falsehood of the said evidence, and to clear up the whole transaction, it doth no way appear whether the said ten lacks of rupees, mentioned by the said Nabob Vizier, was the same identical sum with that offered to Middleton, or was not rather some other present to the same amount; nor whether any payment was or was not made thereon, the whole being purposely involved by the said Warren Hastings in mystery and obscurity as aforesaid; and it doth not appear that the parties concerned in these transactions were acquainted with or consulted on the proceedings of others acting in the same; but it doth appear, and it is hereby charged, that the full correspondence of any of the said agents with him the said Warren Hastings hath not been produced; but that the said Warren Hastings did, and doth, wilfully and criminally withhold the same. And whereas a Governor General, entrusted with the care of the Company's revenues, is bound in duty to take care that all things relating thereto, or whatever may affect the same, mediately or immediately, should be clear, open, and distinct: And whereas it is also the duty of the Governor General, that in a service like that of the Company's service in India, more liable than any other to the suspicion of bribery and extortion, all parts of the Government should be preserved, as much as in such Governor General lies, altogether clear from those foul imputations, especially in him, the head and chief of the said service, and who is in a particular manner the guardian of the honour thereof, and of this kingdom in India, and is bound to candid, fair, and ingenuous proceedings in all things, but more especially in transactions tending to corruption, he the said Warren Hastings, in contradiction to his duty, in the transactions aforesaid, concerning a bribe or bribes offered to him by the said Nabob of Oude, by his prevarication, fraud, and deceit, and by suppression of evidence, and by purposely avoiding the natural and orderly course of enquiry, dictated by the circumstances of the business before him, and by other dark, intricate, and collusive practices, was and is guilty of an high offence

offence in the said acts, and in the said neglects of duty, tending in their inevitable consequences to perplex and mislead the Court of Directors, and to leave in the minds of men a strong persuasion of unfair and corrupt practice relative to the object of the said frauds and devices, to the dishonour of the high trust and office held by the said Warren Hastings, and to the evil example of the whole of the Company's servants, by teaching them to veil their acts in all sort of disguise, mystery, and fraud.

ARTICLE FIFTEENTH.

THAT notwithstanding the means pretended to be taken at the treaty of Chunar for the relief of the Vizier Nabob of Oude, the said Warren Hastings well knew that the distresses of the said Vizier did continue, and that in order to satisfy the enormous and rapacious demands made by the said Warren Hastings upon him, he had been compelled to lend his name, and the appearance of his authority, to rob his mother and his grandmother of their treasures, and to confiscate, under the same compulsion, the estates of his relations and friends, and dependants of his family; and the said Warren Hastings also well knew that the said Nabob, in his court, in his household, in his troops, and in the whole state of his country, did feel great and grievous distress; yet he the said Warren Hastings, conceiving a false and injurious opinion of the character of the East India Company, and of the honour, justice, and policy of this kingdom, and delusively imagining that it would be received as a cover for all his acts of disobedience to the laws of his country, and of all his peculation, rapacity, cruelty, and oppression, for which he did then apprehend he should be called to an account, and that it would be taken as a meritorious atonement for the same, if he could make it appear that he had exacted greater sums from the ruined and undone country of Oude, than others, more just, moderate, and provident, could have exacted from the same; and at the same time with a view to leave the said country in a state of the utmost confusion and distress, from whence he hoped to answer some of his evil purposes, he did, without any communication with his Council, or entering any minute on the books thereof, cause the accountant, or deputy accountant at Calcutta, to rake into all the accounts

accounts for several years backwards, and from thence, and on pretence of forgotten articles, to produce two demands, amounting to four hundred thousand pounds sterling, or some other great sum of money, and he did urgently demand payment of the same from the said Nabob, and though he well knew that the said Nabob's current resources could not produce such a sum, or any sum above the current demand, and that it could only be borrowed at an enormous usury, and by anticipation of his revenues, and that this must produce for the present an increase of his debt, and at some future time a failure or deficiency even in a reduced current demand; yet for the fraudulent purposes aforesaid he the said Warren Hastings did persevere in demanding the payment of the same; and the same, or a great part thereof, was borrowed by the said Nabob at an interest of twenty pounds per centum per annum, or some other high and destructive interest, and the said confiscated estates were mortgaged for the same, by which it was put out of the power of the said Vizier to restore the said confiscated estates, until the money borrowed on them was paid, if he had been permitted so to do by the said Warren Hastings; and the deficiency to be apprehended by the said violent and oppressive demand was actually produced, and the said Vizier's debt, which had been kept in a growing state by enforcing unjust demands upon him, and which ought to have been discharged with a considerable remainder, by the violent measures employed for that purpose, did in the ensuing year, namely, in the Fusulli year one thousand one hundred and eighty-nine, corresponding to part of the years of our Lord one thousand seven hundred and eighty-one, and one thousand seven hundred and eighty-two, amount to a very great sum of money, in consequence of the said unexpected demand, which, if just and founded, ought to have been produced at its due and proper season, and not brought forward (as it was) to add to the confusion, perplexity, and distress of the country and government of Oude, when the said country was least able to bear it, and for which it was obliged to provide by an anticipation to the amount of five hundred thousand pounds sterling, or some other great sum of money; and the anticipation aforesaid pressing hard on the revenue, and producing other anticipations, fresh necessities of borrowing at an enormous interest were induced, till at length, that is, in the years one thousand seven hundred and eighty-five, and one thousand seven hundred and eighty-six, a deficiency and debt did happen, even after the current demand was reduced nearly to one half of its usual amount; and the said Warren Hastings, not content with the great and suspicious demands aforesaid, further to increase the disorder and distress of the said Nabob's affairs, did, as before, without any consultation with his Council, in the months of May or

June in the said year one thousand seven hundred and eighty-two, illegally send or depute to Lucknow, to the court of the said Vizier, his two secret instruments, Major Palmer and Major Davy, to demand that the said Vizier should lend to the East India Company a sum of six hundred thousand pounds sterling, or some other great sum of money, and also that the said Vizier should take four battalions of the Company's troops into his pay for the collection of his revenue, notwithstanding all the mischiefs which had been experienced from that species of establishment; all which extraordinary claims, together with the admitted claims of the Company for that year, would have amounted nearly to double the then clear annual revenue of all the documents of the said Nabob; but the said Nabob did positively deny his consent to either of the said demands, notwithstanding the violent menaces employed by the said clandestine agents, or one of them, to induce him the said Nabob to a compliance therewith, he the said Nabob pleading, with great appearance of truth, the utter impossibility of advancing the said sum. And the said Warren Hastings, failing in this attempt, did afterwards, falsely and evasively, deny, or endeavour to explain away, his share in the said proceedings; declaring, that it was from the Ministers Hyder Beg Khan and Almas Ali Khan, and not the said Nabob, that he proposed to borrow the sum aforesaid; and did disclaim, in a prevaricating manner, his having demanded that the said four new battalions should be so taken as aforesaid into the pay of the said Nabob, though he never called his said secret agents to account for what they had so done, nor shewed them any discountenance whatsoever, at the same time that he did, in an ambiguous manner, seem to throw on them the whole blame of this most scandalous and perfidious attempt.

ARTICLE SIXTEENTH.

THAT the said Warren Hastings, contriving by means of violence and corruption to bring the natives of India subject to the power and influence of the East India Company into an entire dependence upon him for their lives and fortunes, in order to draw to himself unlawful and exorbitant advantages from that dependence, did put persons reputed opulent first into

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terror as criminals, without due proof of their offences, and afterwards did receive them into favour and trust, without due proof of their innocence, as the one or the other did best suit his evil purposes ; and in particular, the said Warren Hastings, at some time in the year of our Lord one thousand seven hundred and eighty-two, did receive, or pretend to receive, some information concerning misdemeanors imputed to a certain wealthy and powerful native of India, called Almas Ali Khan, farmer of a considerable part of the revenues of the said Vizier the Nabob of Oude, and also concerning a design which the said Almas had entertained of withdrawing himself with his treasures, represented by the said Warren Hastings as the fruits of embezzlement and oppression, out of the dominions of his Sovereign ; and in fact the aforesaid Almas Ali, being under apprehensions of a design against his life, had taken steps which indicated an intention so to withdraw himself, but was induced to return to the capital and court of the said Nabob Vizier, under a direct, clear, and positive written engagement for the security of his life. And on a representation caused by the said Warren Hastings to be made to the said Nabob, upon the supposed defection, treachery, and other misdemeanors, of the said Almas Ali Khan, the said Nabob Vizier did write to his Vakeel, or Minister at Calcutta, for the information of the said Warren Hastings, representing that the charges made on the said Almas, as aforesaid, were by him the said Vizier understood to be the effect of malice, and the acts of ill-designing persons, and that he the said Vizier did conceive him to be perfectly innocent of the same, or to that effect. And this declaration of the said Nabob, the master and sovereign of the said Almas, was duly communicated to the said Warren Hastings ; nevertheless, a very few days after the account aforesaid was received by him the said Warren Hastings, of the said Vizier's opinion of the innocence of the said Almas, his subject and servant, he the said Warren Hastings did in a special instruction to the aforesaid John Bristow, dated October the twenty-third, one thousand seven hundred and eighty-two, give orders concerning his the said Bristow's conduct to the said Almas Ali Khan, full of duplicity, fraud, and treachery, both to the person who received the said instruction, and also to the person whom the said instruction did regard. And he the said Warren Hastings did first, under a false colour of good faith, observe, that if any engagement did subsist (he the said Warren Hastings at the same time well knowing that such engagement did actually subsist) between the said Almas and the said Nabob Vizier, it should be faithfully observed ; but at the same time directing the said Bristow in a most unwarrantable manner, as follows, to wit : " But if he

(meaning the aforesaid Almas) has been guilty of any criminal offence to the Nabob (meaning the said Nabob Vizier) his master, for which no immunity is provided in the engagement, or he shall break any one of the conditions of it, I do most strictly enjoin you, and it must be your special care to endeavour, either by force or surprize, to secure his person, and bring him to justice ; by bringing him to justice, I mean that you urge the Nabob, on due conviction, to punish him with death, as a necessary example to deter others from the commission of the like crimes ; nor must you desist till this is effected. I cannot prescribe the means ; but to guard myself against the obloquy to which I may be exposed, by a forced misconstruction of this order, by those who may hereafter be employed in searching our records for cavils and informations against me, I think it proper to forbid and protest against the use of any fraudulent artifice of treachery to accomplish the end which I have prescribed ; and as you alone are privy to the order, you will of course observe the greatest secrecy that it may not transpire ; but I repeat my recommendation of it as one of the first and most essential duties of your office."—That the said Warren Hastings has highly dishonoured the British integrity, simplicity, and justice, by the wicked, scandalous, and perfidious evasions and distinctions in the aforesaid instruction contained ; for he well knew that the aforesaid prince, the Nabob Vizier, who was by the said instruction to be urged to put the said Almas to death, had but a few days before declared him innocent, and had, by a solemn engagement, not only given him an indemnity for special offences particularised in his pardon, as the said Warren Hastings did, without any grounds, suggest and suppose, but had pledged the public faith for the absolute security of his life : And even on a supposition that the said act of indemnity had only specified particular offences, it was an inhuman and most treacherous mode of proceeding, and most contrary to all the principles of generosity, humanity, and plain dealing, to make inquisition for such particulars as might have escaped the care of the person obtaining the pardon, in order to defeat the purpose thereof, and to take away his life. And he, the said Warren Hastings, was equally guilty in requiring the said Bristow to proceed in a captious and insidious inquisition into any the most minute breach of conditions, in order to entrap the life of the aforesaid Almas Ali Khan ; and he was also highly criminal in directing him to be put to death for undefined misdemeanors, without stating whether those misdemeanors were of a capital nature or not ; and did thereby give lessons to a prince of the East of the most dangerous nature to the lives and fortunes of all persons subject to his authority ; and the caution with which he the said Warren Hastings did conclude his dangerous and slippery order aforesaid doth highly aggravate his

his offence, as it shows that he was perfectly aware of the construction to which such an act was liable; and he did also highly aggravate the said offence by the caution with regard to his own personal safety with which he gave a mandate of a nature the most likely to involve the person who was to obey it in the greatest embarrassment and danger. That the said Bristow, from a sense of the perfidy and peril of the proceeding ordered by the said Warren Hastings, and the shock which thereby would be given to public credit (the said Almas, on the faith of the Residency, being security for large sums advanced by Bankers to the British Government), did not attempt to seize upon the said Almas Ali Khan, but was content with taking measures tending to lessen the enormous power of the said Almas, of which the said Warren Hastings had complained, to watch his motions, and to give the said Warren Hastings intelligence of any design which he might entertain of leaving the said Nabob Vizier's dominions; and the said Bristow did furnish to the said Warren Hastings much more full, distinct, and apparently authentic intelligence of the intentions of the said Almas to retire from the Vizier's dominions, and of his corresponding with the neighbouring powers for securing such retreat, as also of his oppressive administration, than he the said Warren Hastings had ever before received, notwithstanding which, without any previous enquiry into the conduct of the said Almas, or taking the smallest notice of the frequent intelligence given by the said Bristow of the conduct of the said Almas, or of the proceedings of the said Bristow with regard to him, and without apprizing the said Bristow of any change in his sentiments with regard to the person whom he had ordered him in the manner aforesaid to seize, and to cause to be put to death, and without giving any sort of answer to the said Bristow's repeated letters on the subject of the arduous and critical commission so given by him, he, the said Warren Hastings, did write to this very Almas Ali Khan, on the first of January, one thousand seven hundred and eighty-four, a letter full of expressions of favour and protection, in which letter he solemnly assured him that he had never given credit to the accusations against him. And the said Warren Hastings, soon after going to Lucknow to exercise the functions of the office of Resident in his own person, did invest the said Almas Ali Khan with the same or greater authority than he had before possessed, notwithstanding nothing appeared to acquit the said Almas of the embezzlements or oppressions with which he himself had before charged him, or of correspondence carried on by him with Cheyt Sing, the deposed Rajah of Benares, and the Mahrattas, for the purpose of retiring from the Vizier's dominions, the authentic documents concerning which the Resident Bristow had recently transmitted to him the said Warren Hastings; but the said Warren Hastings, having then private reasons

reasons for altering his opinion, did complain of the charges which had been made against the said Almas, as having been, according to his expression, too laboriously urged against him, and which had nearly driven him to abandon his country for the preservation of his life and honour, and thus to give a colour to the charges themselves, when in fact he the said Warren Hastings himself had been the most earnest and laborious prosecutor of the said Almas, and no other person appears, with any certainty, to have made attempts on the life and honour of the said Almas: And whereas the said Almas had theretofore held his farms of revenue only from year to year, the said Warren Hastings, being at Lucknow some time in the year one thousand seven hundred and eighty-four, did give to the said Almas a term of six years in his farms of revenue, thereby giving, out of the reach of correction or resumption, a lease of boundless power and enormous profit to a person by himself represented as a known oppressor of the people; that the said Warren Hastings, in order to give colour to the said proceeding, did, in his letter to the Court of Directors of the thirtieth of April, one thousand seven hundred and eighty-four, represent the said Almas as having purged himself of the accusations against him, by a reasonable advance of money, which had been applied to the use of the East India Company: That the said course of charging wealthy men with crimes, and acquitting them on the advance of money, is highly unwarrantable and scandalous, and would be so, even if the money had been really and truly advanced; whereas the said Warren Hastings did falsely represent the said transaction, for the said Almas was so far from advancing any money at the time of the said Warren Hastings's said letter to the Court of Directors, that he had not paid up the regular instalments which by the terms of his farm, he had been obliged to make; the said Warren Hastings wilfully intending in his said statement to deceive the Court of Directors, in order to make some sort of excuse for a proceeding so contrary to all his former proceedings and professions relative to the said Almas, and so dishonourable to the justice, policy, and humanity of this nation.

ARTICLE SEVENTEENTH.

WHEREAS, from the laws and customs of the East, which allow, and in some measure require of great men, a large train of wives and concubines, the families of the princes of Indostan

Indostan are generally numerous, and the sons of the said Princes are all equal in dignity, of whatever mothers they may have been born; and they all accordingly are, or ought to be, maintained in an honourable manner, suited to their high rank; and the said Warren Hastings actually possessing the whole power and dominion of the government of Oude, he was in justice and in duty bound to take care that due provision should have been made for the brothers and sisters of the said Nabob, the reigning Sovereign of Oude; but the said Warren Hastings wilfully, and to the great scandal of the English name, did neglect his said duty, and did not interpose through the public Resident, through his own creature, the said Hyder Beg Khan, nor any of his own secret agents aforesaid, for the just and laudable purpose of obtaining any suitable provision for the brothers and other relations of the said Nabob, although the said Warren Hastings did write to the said Princes in specious, plausible, and insinuating language, calling them his (the said Warren Hastings's) brothers, with other soothing and affectionate expressions to the like effect.

That the allowances made by Hyder Beg Khan, the dependent Agent of the said Warren Hastings, and by him kept in power in defiance of his master, for the support of twenty-one Princes, brothers of the said Nabob, all of whom were arrived at years of maturity, so as to have been dismissed from the Zenana, or women's apartment, did not exceed twenty thousand pounds sterling, or thereabouts; some of the said Princes did not receive their respective allowances for nearly two years, and were absolutely compelled to subsist on the charity of their brother's subjects; which defalcation of their scanty maintenance was in consequence of the great pensions and salaries paid to the favourites and creatures of the said Warren Hastings, and of his instrument the said Minister Hyder Beg Khan; and in particular that, during, or soon after the time when the aforesaid twenty-one brothers of the said Nabob were restricted to the said very insufficient and unbecoming income of twenty thousand pounds a year, or thereabouts, which was also never regularly paid, a single English Surgeon, Surgeon Thomas, patronized by the said Warren Hastings, did actually receive from the Vizier nearly as much as the nominal allowance of ten of the brothers of the aforesaid Sovereign the Nabob Vizier, the said Surgeon's allowance being nine thousand seven hundred and sixty-three pounds sterling a year, or thereabouts; and the secret Agent of the said Warren Hastings did receive more than the whole annual allowance of all the twenty one brothers of the said Nabob Vizier, who were out of the care of the women, and several of whom were married, and had families to maintain; and the secret Agent of the said Warren Hastings, the said Major William

liam Palmer, enjoying an avowed annual salary in monthly payments of twenty-two thousand pounds sterlinc, or some other large sum, which was generally reputed to be no more than a part of the emoluments annexed to the situation of the said William Palmer.

That in or about the month of March, one thousand seven hundred and eighty-three, three of the said brothers of the Nabob, namely, Myrza Hyder Ally, Myrza Imayut Ally, and Myrza Syef Ally, did represent to the said Bristow, that they were in distress for dry bread and clothes, and in consequence of such representation were relieved by the intervention of the said Bristow; but soon after the deputation of the said Warren Hastings to Oude, in the year one thousand seven hundred and eighty-four, that is to say, some time in or about the month of September, in the said year one thousand seven hundred and eighty-four, the said Myrza Hyder Ally, one of the three Princes aforesaid, did fly to the province of Benares, and did remain there in great distress; and that although the said Warren Hastings did write to the said Nabob an account of the aforesaid circumstance, in certain loose, light, and disrespectful expressions, concerning the said Myrza Hyder Ally, he did not, as he was in duty bound to do, in any wise exert that influence which he actually and notoriously possessed over the mind of the said Nabob, for the relief of the said Prince, the brother of the said Nabob; but without obtaining any satisfactory and specific assurances, either from the said Nabob, or the said Minister, the said Warren Hastings did content himself with advising the said Prince to return to his brother the said Nabob.

That in order to avoid famine at home, another of the said Nabob's brothers, by name Myrza Jungli, was under the necessity of flying from his native country, and did seek protection from a certain Mahometan Lord, called Mirza Shuffu Khan, then Prime Minister of the Mogul, from whom he did go to the camp of the Mahratta Chief Madajee Scindia, where he did solicit and obtain a military command, together with a grant of lands, or jaghire, for the subsistence of himself, his family, and followers: But wishing again to be received under the protection of the British Government, the said Myrza Jungli, in one thousand seven hundred and eighty-three, did apply to the said Resident Bristow, through David Anderson Esquire, then on an embassy in the camp of the said Scindia; and, in consequence of such application, the said Bristow, sensible of the disgrace which the exile of the said Myrza Jungli reflected, both on the said Nabob of Oude and the British nation, did negotiate with the said Nabob and his Ministers for the return of the said Myrza Jungli, and for the settlement and regular payment of some proper allowance for the maintenance of the said

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Myrza Jungli, but the allowance required was ultimately refused; and although the whole of the transactions aforesaid were duly represented to the said Warren Hastings by the said Anderson, and by the said Bristow, and although he had himself received, so early as the twenty-third of August, one thousand seven hundred and eighty-two, a letter from the Vizier, grievously complaining of the cruel and extortious demands made upon him by the said Warren Hastings, in which letter he did expressly mention the flight of his brothers, and the distresses of the women of his late father, who he said were all as his mothers, and that his said brothers, from the resumption of their jaghires, were reduced to great affliction and distress, and he did attribute the said flight of some of his brethren, and the distresses of the rest, and of the women who stood in a species of maternal relation to him, as owing to the aforesaid oppressive demands; yet he the said Warren Hastings did cruelly, inhumanly, and corruptly, decline to make any order for the better provision of any of the said eminent family, or for the return of the said Prince, who had fled from his brother's Court to avoid the danger of perishing by famine.

That some time afterwards, that is to say, about the beginning of the year one thousand seven hundred and eighty-four, the said Myrza Jungli did entreat the patronage and interference of the said Warren Hastings to procure for him (the said Myrza Jungli) some adequate provision from the said Nabob, his brother: But the said request was, on two different applications of the said Myrza Jungli, in an hard and unfeeling manner refused by the said Warren Hastings; and the said Warren Hastings did assign, as the reasons of such refusal, the distresses and embarrassments of the said Nabob's government, which the said Warren Hastings, by his corrupt intrigues and criminal mismanagement before mentioned, had himself occasioned.

That some time in or about the month of December, one thousand seven hundred and eighty-three, the Nabob Behadre, another of the brothers of the said Nabob of Oude, did represent to the said Bristow, that he the said Nabob Behadre had not received a farthing of his allowance for the current year, and was without food; and being wounded by an assassin, who had also murdered his aunt in the very capital of Oude, the said Nabob Behadre had not a daum to pay the surgeon, who attended him for the love of God alone. That at or about the period of this said representation, the said Bristow was recalled, and the said Warren Hastings proceeded up to Lucknow, but did not enquire into the said representations transmitted by the said Bristow to Calcutta, nor did order any relief.

That by the criminal neglect of the said Warren Hastings, in not originally appointing, or procuring to be appointed, some

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adequate and becoming provision for the said Princes, the brothers of the said Nabob, and in not enforcing the due and regular payment of such stipends or allowances as were appointed, as well as in not giving some mark of his approbation to the said Resident Bristow, for his commendable interposition in behalf of the said Princes, nor of his displeasure to the said Minister Hyder Beg Khan, for his culpable conduct towards the said Princes, as also in not making any enquiry into the said representations of the said Nabob Behadre, transmitted to Calcutta by the said Bristow at the conclusion of his Residency, and in declining to pay any regard to the aforesaid applications made directly to him, the said Warren Hastings, by some or one of the said Princes, the said Warren Hastings did become, and is fully responsible for the aforesaid distresses of the reigning family of Oude, and did thereby bring disgrace on the said Nabob Vizier, the first Prince of the Mahometan Empire in Indostan, and did discredit and dishonour the justice and humanity of the British name throughout all the East.

ARTICLE EIGHTEENTH.

AND whereas the said Warren Hastings hath frequently declared, that the system of interference in Oude, by means of an English Resident, was an usurpation, and was, in his opinion, productive of many evils and disorders in the government of the said province, and did pretend that he had opposed the introduction of the same: That the said interference, however proper, being in direct contradiction to his avowed principles, ought by him to have been wholly declined, or exercised in direct obedience to orders, and his part therein taken with the greatest caution and moderation; yet, having in view his own corrupt advantage, and that of his agents, he did himself continue that interference to which he had so objected, and from time to time did increase the powers of the English agents by him appointed, and did make various divisions and distributions of the said powers, and did frequently, and without any reasons assigned, remove the persons entrusted with such agency: That, after the dismission of the said Bristow, and the re-appointment of the said Middleton, herein before alledged, when the said Middleton had continued in office for two years longer, he was recalled by the said Warren Hastings, without any cause assigned; and

and Mr. Hosea, since deceased, went up to Oude, under some actual appointment, or agreement for an appointment, and was for a while there received, and was considered as Resident, but was suddenly recalled: That the said Middleton did then resume his office, but was the same year superseded by the said Warren Hastings, who appointed Mr. Purling to the said Residency: That, in a few months afterwards, the said Warren Hastings removed the Resident Purling (as in former instances, without cause assigned) and restored the said Middleton, who continued, upon such restoration, about a year in office singly: That, during these transactions, the said Bristow having come to England, and obtained two positive orders from the Court of Directors for his reinstatement, the said Warren Hastings did wilfully disobey the said orders, and, on record, did revile and insult the said Bristow, throwing out many insinuations against his (the said Bristow's) integrity, for presuming to claim, under the authority of the Directors, who were the legal masters both of the said Warren Hastings and of the said Bristow; and, the day after he the said Warren Hastings had recorded a minute to this effect, he did propose a new commission for Oude, dividing the office of Resident, and appointing the said Bristow to the political, and the said Middleton to the pecuniary department, and did thus make two Residents, which had no other tendency than to confound the said East India Company's affairs, and to increase its expences, or that of their allies, and the said expences were thereby unnecessarily increased.

That during the said Bristow's residence, which continued some months under the said last appointment, the said Warren Hastings never answered one of his letters, nor gave him any instructions, nor suffered the said Nabob to confer with him on any affairs whatever; and did remove him on pretence that he was personally disagreeable to the said Nabob. That the said Warren Hastings, afterwards, did appoint the said Middleton to the office of Resident, together with Mr. Johnson as his assistant therein, and did, some short time after, again appoint the said Bristow to be Resident, pretending, in a letter on that subject to the Court of Directors, that such appointment was made in obedience to their orders; but in a letter which he caused to be written to the said Vizier, he studiously disclaimed that motive, and declared therein, that though it had been his, the said Warren Hastings's, intention to have so appointed the said Bristow, yet he had postponed such appointment, lest it should be understood at Lucknow, that it was made in consequence of orders from Europe (meaning orders from the said Court of Directors); and further declared, that the contrary was the case, and that the said Bristow was the object of his own particular patronage: And in about a year afterwards he did again remove

the said Bristow, in order to obtain in effect the said office of Resident for himself; and he the said Warren Hastings did accordingly perform the function of the said office himself, some time in the year one thousand seven hundred and eighty-four, and then left it in the possession of a private Agent of his own, namely, Major Palmer; and thus, in the short space of seven years, or thereabouts, from the death of Colonel Monson, in the year one thousand seven hundred and seventy-six, the said Warren Hastings did at least make eight different changes in the said office of Resident.

And, during the said succession of Agents, the said Warren Hastings, having it for his object to obtain and to secure to himself, for his sinister and corrupt purposes, the full and complete control and dominion of Oude, as far as might be, without the interposition or even privity of his lawful masters the Court of Directors, he (the said Warren Hastings), besides usurping the sole, immediate, and personal nomination of the Public Residents, and changing them at his arbitrary pleasure, did himself, on various occasions, carry on with certain of the said Residents a private and secret correspondence, of which he did never make any regular entry on the records of the Company, as by law he was bound to do; but did only produce, at particular junctures, such parts and fragments of the said correspondence as might suit his designs of the moment; and he, the said Warren Hastings, did further correspond with the said Residents through secret, confidential, and unofficial channels, among which were Major Palmer and Major Davy, Mr. Charles Crofts, the Sub-treasurer, and Sir Elijah Impey, Knight, his Majesty's said Chief Justice at Fort William in Bengal: That, to the criminal ends aforesaid, the said Warren Hastings did, by his influence, prevail with the said Nabob to appoint as his Minister, or to continue against his will, a certain Mahometan native, called Hyder Beg Khan, who did profess himself to be, as in truth he was, the immediate dependant of the said Warren Hastings, and to have been by him, the said Warren Hastings, raised from the dust; with many other like expressions of the most implicit obedience and submission to the will of the said Warren Hastings; and did declare himself ready to enforce certain measures, even against the inclination of his master the said Nabob, if he were authorized so to do by an order or letter from the said Warren Hastings: And the said Warren Hastings did record his belief and knowledge, that Hyder Beg Khan affixed the name and seal of the said Nabob to letters written without his consent; and that the said Nabob was a cypher in the hands of the said Minister Hyder Beg; and the said Hyder Beg possessing thus the entire administration of Oude, the said Warren Hastings did, from time to time, exercise a power of direct censure and control over the conduct of the said

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Hyder Beg ; and did hold out menaces to him, and did threaten him that he would influence the said Nabob to institute a strict scrutiny into the administration of him the said Hyder Beg Khan, and to punish him thereupon ; while, on the other hand, the said Warren Hastings did pronounce the persons of the Ministers (whereof Hyder Beg Khan was the principal) to be sacred, while they should act with the participation of our (meaning, in truth, the said Warren Hastings's own) influence.

And the said Warren Hastings did hold secret communication, both with the said Hyder Beg Khan and the said Nabob himself, through some of the confidential channels before mentioned ; and through a certain Mahometan native of high rank at Benares, called Ally Ibrahim Khan ; and through a certain native Rajah at Calcutta, named Rajah Govind Ram, Vackel or Minister to the said Nabob of Oude : And the said Warren Hastings did never produce, or cause to be produced (as he was by law bound to do), any regular copy of such communications, either to or from him the said Warren Hastings, but did only record such parts thereof as he occasionally thought proper : And he did further privately receive from the said Hyder Beg, divers applications, remonstrances, and complaints, at different times, against sundry of the British Residents in Oude, and did proceed thereon ; and in consequence thereof did exhibit formal charges against the said Residents, and did remove them, in some cases, before any solemn enquiry had, or any defence, of any kind, in any manner required.

And, in order more effectually to manage, for his own evil purposes, the confused and intricate system of government, both through the Native Minister and the British Resident by him established and supported, and to govern and direct, according to his own corrupt and criminal views, the cabals and intrigues to which such a government must necessarily give rise, the said Warren Hastings unlawfully, and contrary to his duty, did send up to Lucknow, to be present on the spot, a third and secret set of agents, namely, the said Major Palmer, his military secretary and confidential agent, and Major Davy, his private Persian interpreter and private secretary : And the said Warren Hastings, in certain letters to the said Nabob, has declared the said Palmer to be as himself (Warren Hastings), to have the same thoughts, and to be, as it were, his (the said Warren Hastings's) own tongue : And the said Warren Hastings did transmit, through the said agents, divers letters to the Minister or the Nabob, of which letters the public Residents did not receive any copy or translation, nor were in any authentic mode informed as to the contents thereof ; and in divers letters to the said Nabob, and to the said Hyder Beg Khan, which letters were recorded by the said Warren Hastings, there do appear frequent and repeated references

references to the said Major Palmer, or Major Davy, for further information ; but all or most of the letters which conveyed such information he the said Warren Hastings hath wilfully and illegally suppressed : And the said Warren Hastings, by the same means of clandestine communication, did receive the aforesaid representations and accusations against the Residents from the said Minister Hyder Beg Khan, both in his own name, and in that of the said Nabob : And that the said Warren Hastings, by taking part, through the said confidential agents, sometimes with the Resident, and sometimes with the Minister, at the instigations of some persons unknown, and without any due examination into the merits or demerits, either of the Resident or the Minister, did wilfully, and for some evil purpose, abet and ferment the disturbances and distractions necessarily incident to the perplexed system of government before stated ; and in particular, that some time in or about the month of August, one thousand seven hundred and eighty-two, the said Warren Hastings, on the representations of the said secret agents, or some other persons unknown, did write one of the threatening letters aforesaid to the said Hyder Beg ; but in return having received from the said Major Palmer, one of the said secret agents, a letter mentioning, in general terms, the usurpations of Mr. Johnson, the then acting Resident, and the insults of the said Johnson to the said Hyder Beg ; and having also produced a letter privately sent from the said Hyder Beg to the said Major Davy, another of the said secret agents, containing the like general charges against the said Johnson ; the said Warren Hastings, on the seventh of September, one thousand seven hundred and eighty-two, did recommend to the Board at Calcutta, to order the said Johnson immediately down to Calcutta, with peculiar marks of displeasure and disgrace ; the said Warren Hastings pretending exceeding great alarm at the information contained in the aforesaid letters, although the said Hyder Beg Khan, in his letter to the said Major Davy, did represent himself as having before made the same or similar charges against the said Johnson, which charges did not then create such alarm in the said Warren Hastings, inasmuch as the said Warren Hastings did subsequently write to the said Hyder Beg the letter of reprimand aforesaid ; and afterwards, on the twentieth of October following, he did again write to the said Hyder Beg Khan, menacing him as aforesaid, notwithstanding the sanction which the said Warren Hastings had so recently given to the recriminatory defence of the said Hyder Beg, by the immediate removal of the said Johnson without enquiry.

That, on the twenty-second day of the aforesaid month of September, one thousand seven hundred and eighty-two, only fifteen days after the removal of the said Johnson for the alledged crime

crime of opposition to the said Minister Hyder Beg, the said Warren Hastings, in consequence of intelligence from the said secret agents or other persons unknown, did further recommend to the Board the dismission of the said Resident Middleton, for not having carried into effect the conditions and spirit of the treaty of Chunar, in which the said Resident Middleton had been opposed by the said Minister and the said Nabob; and the said dismission of the said Resident Middleton was contrary to the good faith of the said Warren Hastings, who, in reply to a private request of the said Nabob, did promise to the said Nabob the Resident Middleton should not be removed but at the desire of the said Nabob, or of himself the said Middleton, or to that effect; and this promise, bearing date the twenty-third of May, one thousand seven hundred and eighty-two, was recorded by the said Warren Hastings himself on the Bengal Persian Correspondence; and soon after the said promise, the Resident Middleton did quit his station with leave of absence, and did not return till the last day of August or thereabouts, that is to say, about three weeks before his recall.

That, by having thus, on the unexamined evidence of his private instruments, removed the Resident Middleton and the Assistant Resident Johnson, within the space of one month, on grounds so contradictory and inconsistent in themselves, the Assistant Resident Johnson for opposing, and the Resident Middleton for not opposing, the same individual Minister Hyder Beg Khan; the former of the two professedly in order to quiet the Nabob's apprehensions, and the other in contradiction to the direct request of the Nabob himself; the said Warren Hastings did throw new difficulties and discouragements in the way of any Resident who might succeed, as there was no line of conduct whatever left to him, for which one of his immediate predecessors had not been punished with dismission, and for which he might not apprehend similar disgrace, through the dark machinations of the said Warren Hastings and his private instruments aforesaid; and by the said examples, together with the continued operation of the secret system of cabal and intrigue aforesaid, and the rapid change and succession of agents within the space of about seven years, many of them in defiance of orders, and all upon motives of cabal and intrigue, he did accordingly weaken and render odious the British Government, distract and disorder the Government of Oude, disorder the Company's affairs, protract the payment of the debt due to the said Company from the said Nabob, and give strong incitement to rapacity and peculation, in a place exposed to the greatest temptation, and furnishing the most abundant means of unlawful acquisition.

ARTICLE NINETEENTH.

THAT the said Warren Hastings having declared himself sensible that the affairs of Oude had been long in an ill condition, and were daily growing worse, owing to the misgovernment which prevailed therein, and which had not been reformed in consequence of the regulations directed, and the powers by him given to the Resident Middleton, in the year one thousand seven hundred and eighty-one, in virtue of the treaty of Chunar, he did therefore, under the pretence of the better regulation of the said provinces, in the month of September, one thousand seven hundred and eighty-two, appoint John Bristow Esquire, to the office of Resident in Oude, and did, on the twenty-third of October, one thousand seven hundred and eighty-two, give to the said Bristow sundry minute and particular, as well as large and general, instructions, by which, for the purpose of reforming the abuses which prevailed in the said Nabob's dominions, he did in effect and substance authorize and require the said Bristow to exercise all the functions of Government, in an eminent and controlling manner, representing the necessity thereof from the said Vizier's disinclination and inaptitude to business, which rendered him a cypher in some hands or other; and from the little reliance which could be placed on his Minister Hyder Beg Khan, of whose character and morals he did, in the said instructions, give a most unfavourable representation, and he did declare the said Bristow responsible for the due observance of the said instructions, and the exercise of the power therein given; declaring, in the following words, or words to that effect, that from the nature of our (meaning the British) connection with the Government of Oude, and from the said Nabob's incapacity, a necessity would for ever exist, whilst we had a claim of subsidy upon the resources of his country, of exercising an influence, and frequently substituting it entirely in the place of an avowed and constitutional authority in the administration of his (the said Nabob Vizier's) Government; and in the said instructions he did declare that he had recourse to him the said Bristow for the introduction of a new system in that Government, and that he could not omit, whilst he expressed his reliance on him the said Bristow for that purpose, to repeat the sentiments which he the said Warren Hastings had expressed in the verbal instructions which he gave the said Bristow at his departure, that there could be no medium in the relation between the Resident and the Minister, but either the Resident must be the slave and vassal of the Minister, or the Minister at the absolute disposal of the Resident; and he said Warren Hastings did, in various other parts of the said instructions, vest large powers in the said Bristow,

Bristow, wholly superseding and controlling those of the said Nabob's acting Minister, the said Hyder Beg, and did threaten the dismission of the said Minister, in case of the opposition to be expected to assist him, which was in effect to over-rule the said Minister's own power; and he the said Warren Hastings did particularly direct the said Bristow to appoint regular offices in the said Government, not one office being therein existing, the whole being engrossed by the said Minister, the said Hyder Beg Khan alone;—to regulate the troops, which had been ill regulated and ill paid—to establish Courts of Justice, there being none existing in Oude, he the said Warren Hastings having asserted with truth, that the want of such Courts was the most discreditable defect in the said Nabob Vizier's Government; and he did also give directions concerning the revenues and other matters, and the reformations and regulations by him directed were proper, and in the then state of Oude necessary, and he was bound to give all due support to the said Bristow, in carrying the same into execution, in opposition to the said Hyder Beg Khan and others, whose interests in the continuance of abuse must have been deeply affected by the reformations by him in the said instructions prescribed; but the said Warren Hastings having conceived a strong animosity against the said Bristow, on account of his original appointment to office under persons in Council, whom the said Warren Hastings opposed, and on account of his the said Bristow's subsequent legal claim to office, under the authority of the Court of Directors, which he the said Warren Hastings did seem particularly to resent, did contrive, under the mask of friendship, and an extraordinary degree of trust and confidence, most perfidiously to betray and grossly to injure him the said Bristow; and the said Warren Hastings, contriving also for his own corrupt and self interested purposes to increase those disorders in Oude, which he pretended he had appointed the said Bristow to reform, he did very early after his appointment of the said Bristow endeavour to counteract the said Bristow in all his endeavours for that purpose, and did uphold and maintain the said Hyder Beg Khan in an opposition to all the necessary plans of reform by himself, the said Warren Hastings, ordered and directed; and though he had ordered the said Bristow to inform him, from time to time, of his the said Bristow's progress in the execution of his the said Warren Hastings's orders concerning the several reforms therein directed and specified, and the obstructions he might meet with therein; and though the said Bristow did diligently pursue the objects entrusted to his care, and did regularly write to the said Warren Hastings, and did faithfully represent to him the state of the country, the several matters which he proposed for the regulation thereof, and the difficulties which he had to encounter; yet the said Warren Hastings, although he had made it an article of accusation against the former Resident Middleton, that he had not regularly corresponded

responded with him the said Hastings, excepting the share of one letter from the Council, approving of his the said Bristow's measures (to which measures he secretly gave, or countenanced others to give, an opposition), did for the greater part of the time the said Bristow remained in office, never, or very rarely, write to him; nor did he the said Hastings give to the said Bristow any instructions whatever upon any one of the delicate and difficult objects so largely insisted upon in his commission: And for the purpose of preventing the Council from giving a support to the necessary reforms which were in direct obedience to his the said Warren Hastings's orders attempted in Oude, he did maliciously, wilfully, perfidiously, and fraudulently, against law and his duty, hold back for three months an important letter from the said Bristow, to him the said Warren Hastings, and to the Council General, dated the twelfth of December, one thousand seven hundred and eighty-two. And when he, the said Bristow, did inform him, in the fullest manner, of the opposition given by the said Hyder Beg Khan to all the acts in the said original instructions prescribed, and did complain thereof to the said Warren Hastings, in his several letters of the twelfth of December, one thousand seven hundred and eighty-two, the thirtieth of the same December, the twenty-first of January, fourth and thirty-first of March, and the eighth of April, one thousand seven hundred and eighty-three, none of which letters were recorded by the said Warren Hastings till on or after the twenty-first day of April, one thousand seven hundred and eighty-three, with the inclosures therein contained, he the said Warren Hastings did not pay any sort of regard whatever to the representations of the said Bristow, but did produce to the Council, at various times, letters or pretended letters from the said Nabob, in opposition to the measures pursued by the said Bristow, under his the said Warren Hastings's authority, as an usurpation on the said Nabob's authority. And the said Warren Hastings, in direct contradiction to his own written declarations, to the solemn written assurances which he had given to the said Bristow, and to the denunciations which in writing he had authorized the said Bristow to make to the said Minister Hyder Beg Khan, implying that his obedience to the said Resident did form the terms upon which he would be permitted to hold his office; and that he the said Warren Hastings would not receive, as the Nabob's, letters dictated by the spirit of opposition, but should consider every such attempt as an insult on our Government; and did declare, or ordered it to be declared, to the said Hyder Beg Khan, that he did expect that nothing should be done in his the said Hyder Beg Khan's official character without the knowledge and participation of the said Resident; yet he the said Warren Hastings did, without hesitation, or even the pretence of an inquiry, receive as the Nabob's own letters, and as written from impressions on his the said Nabob's own mind, and as the suggestions of his own judgment, letters written in the spirit above mentioned,

mentioned, and such as were evidently written to promote the views of the said Hyder Beg Khan, in which light he the said Warren Hastings had solemnly declared that he would consider such letters, and did state them as a poor deception, and a thin veil, to cover the designs of the said Hyder, and that he would look on the guilt of writing such letters as aggravated by the falsehood and duplicity with which they were accompanied ; and he the said Hastings had in this case more particular reason than ever to consider the said letters as being written to promote the interests of the said Hyder, and not the independency of the said Vizier, because his the said Warren Hastings's secret agent, Palmer, accusing the said Bristow, and being a witness against him, did represent the said Vizier as having informed him the said Palmer that the said Bristow had gone the length of letting the said Vizier know, that if he pleased he was the master in his own Government, and was free to dismiss his Minister at his pleasure, or to that effect. And further, the said Warren Hastings did accept and take several letters of the said Hyder Beg, accusing the said Bristow, as proofs, although the said Hyder Beg was a party, and interested, as well as the said Palmer ; the said Hyder having, in the course of that dispute, applied to the said Warren Hastings to be solely employed, both for the Company's concerns and the said Vizier's ; and the said Palmer confessing, that he had a prospect of the Residency, and the said Hyder having made a direct proposal, the said Hyder, to be by his the said Warren Hastings's power placed in the management of the Nabob's affairs, and also employed to transact, on their part, those of the Company, and having engaged, if so employed, that he would obey the said Warren Hastings's orders, though secretly operating ; yet the said Warren Hastings, notwithstanding his perfect knowledge of the interested motives of the said Hyder and Palmer, and the notoriety that both were his dependants, and notwithstanding the insinuation of the said Hyder Beg, tempting the said Warren Hastings, by offering to obey his orders secretly operating, he the said Warren Hastings, having thrown off all regard to decency, as well as to justice, did attempt, on the mere charges of these persons, one of them, namely, Hyder Beg, a person stigmatised by him in his instructions to this very Bristow, as a most abandoned character, to deprive the said Resident of his office, without hearing his defence ; and when the said Warren Hastings failed to persuade the Council to concur with him in this unwarrantable act, and that they remonstrated to him, that the only offence with which the said Resident was charged consisted in some totally ineffectual attempts to execute the said instructions, he the said Warren Hastings, in a letter to the said Bristow, did revoke the said instructions, and did, in insulting terms, write to the said Bristow, that he should not dare to act upon them, or to use them as his instructions, and yet did not propose any other in their stead, leaving,

ing, as far as in him lay, the said Resident entangled in the plots and conspiracies of his the said Warren Hastings's said agents and instruments, to act in a most delicate and difficult situation, without any rule or direction whatever: And the said Warren Hastings, in due time, no longer concealing his being himself a candidate for the office of Representative of the Company in Oude, and discovering more and more his real view, which was to fill, before his departure for Europe or his recall thither, that subordinate but most lucrative office, caused the accusations to be renewed against the said Bristow, on the part of the said Nabob Vizier, and the said Hyder Beg and others, against the said Bristow, in which he conducted himself in an unjust, violent, and intemperate manner, using a shameful partiality with regard to the said accusers, and a scandalous prejudice against the accused, in violation of all duty, in all the capacities in which he did or might stand in the said proceedings, whether he be considered as an accuser, a judge, or a counsellor of state, at the head of an Administration. That further, in pursuance of his unjustifiable views of personal and local power in Oude, he the said Warren Hastings did cause and instigate the said Vizier to make pathetic lamentations of his situation, and to call for his the said Warren Hastings's presence in Oude, as the only means of quieting his mind, and re-establishing his affairs: And the said Warren Hastings did, by throwing out insinuations against the other Members of the Council, and threatening them with the consequences of what might result from the exasperated state of mind which he represented the said Nabob and all the principal persons of the country to be in, and which discontents, and the disorders consequent thereto, the said Warren Hastings did foment, if not cause, he by those and the like evil acts and violences, and by the aforesaid and by other unwarantable acts by him devised and practised, did obtain the removal of the said Bristow from his office, and his own appointment thereto, or to an office in that country, of the same or greater power and authority. And the said Warren Hastings, in all the acts and neglects of duty aforesaid, by wilfully declining to support the execution of his own orders, as well as by traversing, or causing to be traversed, the said British Resident Bristow in effectuating the reformations by himself known to be necessary, and recommended as such in his said instructions, not only betrayed a servant of the Company, whom it was his duty, so far as in justice he could, to protect, but by the plots and many devices of him and his instruments, weakened and dishonoured the British Government and authority in the said province, and thereby prevented the recovery of the Company's assignments, and by countenancing the prevention of proper offices, he did encourage peculation and confusion in accounts, and mutiny in the army, and the same did happen in consequence thereof, and in particular by his the said Warren Hastings's heinous offence in countenancing an op-
position

position to the establishment of Courts of Justice in Oude, he the said Warren Hastings is the cause of all the want of security to the property and lives of the inhabitants, and of the many mischiefs, disorders, tumults, robberies, and murders, which, from want thereof, did thereafter happen in the said country of Oude, and even in the capital city of Lucknow.

ARTICLE TWENTIETH.

THAT the said Warren Hastings did take a commission or delegation to act for the Governor General and Council at Lucknow, or some such delegation or commission, on condition of finding the security of responsible bankers for the payment of the Vizier's debt on or before the month of January, one thousand seven hundred and eighty-five; and he did proceed for Lucknow on the fourteenth of February, one thousand seven hundred and eighty-four, and returned to the city of Calcutta on the third of November, one thousand seven hundred and eighty-four: That the said commission or delegation to be executed by him, the Governor General, was totally unnecessary for any one of the objects by him the said Warren Hastings done, or proposed by him to be done, in the said delegation; and he did bring upon the East India Company, by the said unnecessary delegation, a charge of fifty thousand pounds sterling, or some other great sum, for the expences attending the same, at the time when the said Company laboured under very great difficulties, and when the strictest economy was called for; and he, the said Warren Hastings, did take with him a great train of English gentlemen, to the number of thirty, or some other large and unnecessary number, besides his guard, although he was well aware that the Vizier Nabob of Oude did always consider the presence of English gentlemen as bringing upon him a heavy burthen; and though the said Warren Hastings, in his justification of the treaty of Chunar, did, through his colleague Wheler, inform the Court of Directors that the removal of the English gentlemen and officers from the Vizier's Court, as well as service, was a point in which the national honour and reputation was well consulted, or to that effect. That the said Warren Hastings, being at Lucknow as aforesaid, did come to some agreement or stipulation, purporting that no British Resident should ever be sent into Oude, and that no British influence, secret or avowed, should be exercised within the same, whilst the Vizier continued to fulfil his engagements to the Company, which voluntary act of abdication of the power and influence of this kingdom in the province of Oude, he, the said Warren Hastings, was not legally authorized to make, without express

express orders for that purpose from the supreme authority ; and he did presume to bind the East India Company to the observance of the said unwarrantable agreement, by causing to be inserted in the leases of the several farms let by the said Vizier, a clause, whereby the said leases, and all the conditions and engagements therein stipulated, were to be annulled and made void, wherever the said farmers should be interrupted in their functions by the interference of a British agent, thereby unlawfully precluding, as far as in him lay, on the one hand, the operation of the discretion of his masters in the conduct of their affairs, or on the other, subjecting his said masters to an imputation on their faith, by breaking an engagement confidently made in their name, though without their consent, by him the said Warren Hastings, who was the first officer of their Government. That the said Warren Hastings, in thus surrendering all the influence and authority of the said East India Company as an arrangement beneficial to the country so by him abandoned, and as serviceable to the said Company, did act in direct contradiction to sundry declarations by him recorded, and transmitted officially for the information of the Court of Directors, and of his Majesty's Ministers, wherein he did represent the exercise of the said influence as absolutely necessary to the said Company's affairs, as highly beneficial to the country in which it was to be employed, as well as to the prince ; and that the Government of Calcutta would always retain the same, or to that effect ; as also, that he had provided for the lawfulness of the same, under the powers given by a treaty, namely, the treaty of Chunar. That the said Warren Hastings did, in his several letters of the thirtieth of April, one thousand seven hundred and eighty-four, to the Court of Directors, and of the first of October, one thousand seven hundred and eighty-four, to the Council General, assign reasons for the said voluntary abdication of authority, highly dishonourable to the British name and character ; as by the said letters, reference being thereunto had, will appear. And his offence herein is highly aggravated, because the imputations thrown by him on the British nation and British government, and their influence, in large and general terms, so far as the same are just, are entirely owing and imputable to the misconduct of the said Warren Hastings himself, and his agents, or of the persons employed, supported, and protected by him.

That while the said Warren Hastings did thus endeavour to destroy the dependence on British faith, and wholly to take away and destroy the British authority in the province of Oude, he, the said Warren Hastings, did nevertheless attempt, contrary to his duty, to create an exclusive reliance and dependence on his own personal faith, and to establish and confirm his own government by means of his own personal influence, and through his own immediate agents in the said Province of Oude. That after

after the said Warren Hastings had signed the aforesaid agreement, renouncing all influence in the said country, and had stipulated that there should be no Resident of the said East India Company, in the said province, he, the said Warren Hastings, did nevertheless, on his return to Calcutta, after he quitted the said province, stay some time in the city of Benares, for the purpose of exercising, contrary to his duty and faith, his own influence and authority in and over the said government of Oude, and did leave behind him a Resident of his own, at a known yearly expence to the said Nabob of twenty-two thousand pounds sterling, or some other large sum of money. That after his return to Calcutta, he the said Warren Hastings did, contrary to justice, bring forward new charges against the late Resident, John Bristow, purporting that he the said Bristow, during his Residency, had paid a large establishment of English pensioners from the revenues of the said Nabob, when at the same time he the said Warren Hastings did well know that many of the said pensioners had been settled thereon by himself, and none by the authority of the said Bristow. That the said Warren Hastings did also corruptly leave under the aforesaid Major Palmer a large establishment of English pensioners, authorized by him the said Warren Hastings to be paid out of the revenues of the said Nabob; and the said Warren Hastings did thereby, in contradiction to his faith and duty, maintain and preserve in the said province of Oude a great interest, and an extensive connection of dependants to himself, at an heavy expence to the revenues of the country, after he had altogether relinquished all authority and influence therein on behalf of his lawful masters, the East India Company.

That when the said Warren Hastings withdrew all public influence of the East India Company from the said province of Oude, he did (except inasmuch as he may himself still have retained a personal, secret, and unwarrantable influence therein) wholly give up and abandon the said Nabob and his territories, and the East India Company's interests therein, to the entire dominion of the said Hyder Beg Khan, without any control or inspection on the part of the said Company, though he the said Warren Hastings was well apprized of the unfitness of the said Hyder Beg for the said trust, or for any trust, and had expressed the strongest disapprobation of the said Hyder Beg's misconduct in many particular instances, besides the universal disorder of the country; and had even intimated an opinion, that the said Hyder Beg might involve our Government in a new scene of hostilities by those which his mal-administration might produce.

And the said Warren Hastings, by his agreement aforesaid, did further leave sundry of the great farms of revenue in the province of Oude under Almas Ali Khan, whom he had represented as a disaffected person, and whom he had ordered to be punished with death.

That by the agreement aforesaid the said Warren Hastings, contrary to justice and to honour, did abandon all the persons

who

who had acted in the reforms proposed by himself, such as Mowlavy, Mowbain, Mahomet Cauzim, and others, exposed without any stipulation (weak as that security would have been) to the resentment of so implacable a tyrant as the said Hyder Beg Khan, who was publicly known, and whom the said Warren Hastings himself knew to be exasperated against the said persons, for the part which they had taken under the said Warren Hastings's own authority.

That the Bankers, whose security the said Warren Hastings took for the payment of the said Nabob Vizier's debt to the said Company, were irresponsible persons, who soon after failed. That the pretended payment of the Nabob's debt was delusive, and was not accomplished by the time at which the said Warren Hastings undertook it should be discharged; and that the said Warren Hastings, contrary to the British faith, did violently take away a security given by John Bristow Esquire, late Resident, to a certain native Banker, called Gopâl Dofs, who, in consequence thereof, did make a demand for payment of the same on the East India Company, and did thereby much affect the said Company's credit.

That by violently restraining and anticipating the said Nabob Vizier's resources, for which kind of proceeding the said Warren Hastings had before actually accused and impeached the aforesaid Resident, Middleton, and by leaving the whole administration of the finances of Oude to the said Hyder Beg Khan, and the said Almas Ali Khan, he the said Warren Hastings did much and dangerously affect the payments of succeeding years, notwithstanding the annual charge on the said Nabob was exceedingly diminished, yet the debt of the said Nabob to the said Company did stand as high as four hundred thousand pounds sterling, or some other great sum of money, in the month of July, one thousand seven hundred and eighty-six: In all which actings and doings, and in all the said wilful and corrupt neglects of duty, he the said Warren Hastings hath been and is guilty of high crimes and misdemeanors.

And the said Knights, Citizens, and Burgesses, by protestation, saving to themselves the liberty of exhibiting, at any time hereafter, any further articles, or other accusation or impeachment against the said Warren Hastings Esquire; and also of replying to his answers which he shall make unto the said articles, or any of them, and of offering proof to the aforesaid articles, and to all and every other articles, impeachment, or accusation which shall be exhibited by them, as the case shall, according to the course of Parliament, require, do pray that the said Warren Hastings Esquire, may be put to answer the said crimes and misdemeanors; and that such proceedings, examinations, trials, and judgments, may be thereupon had and given, as is agreeable to law and justice.

